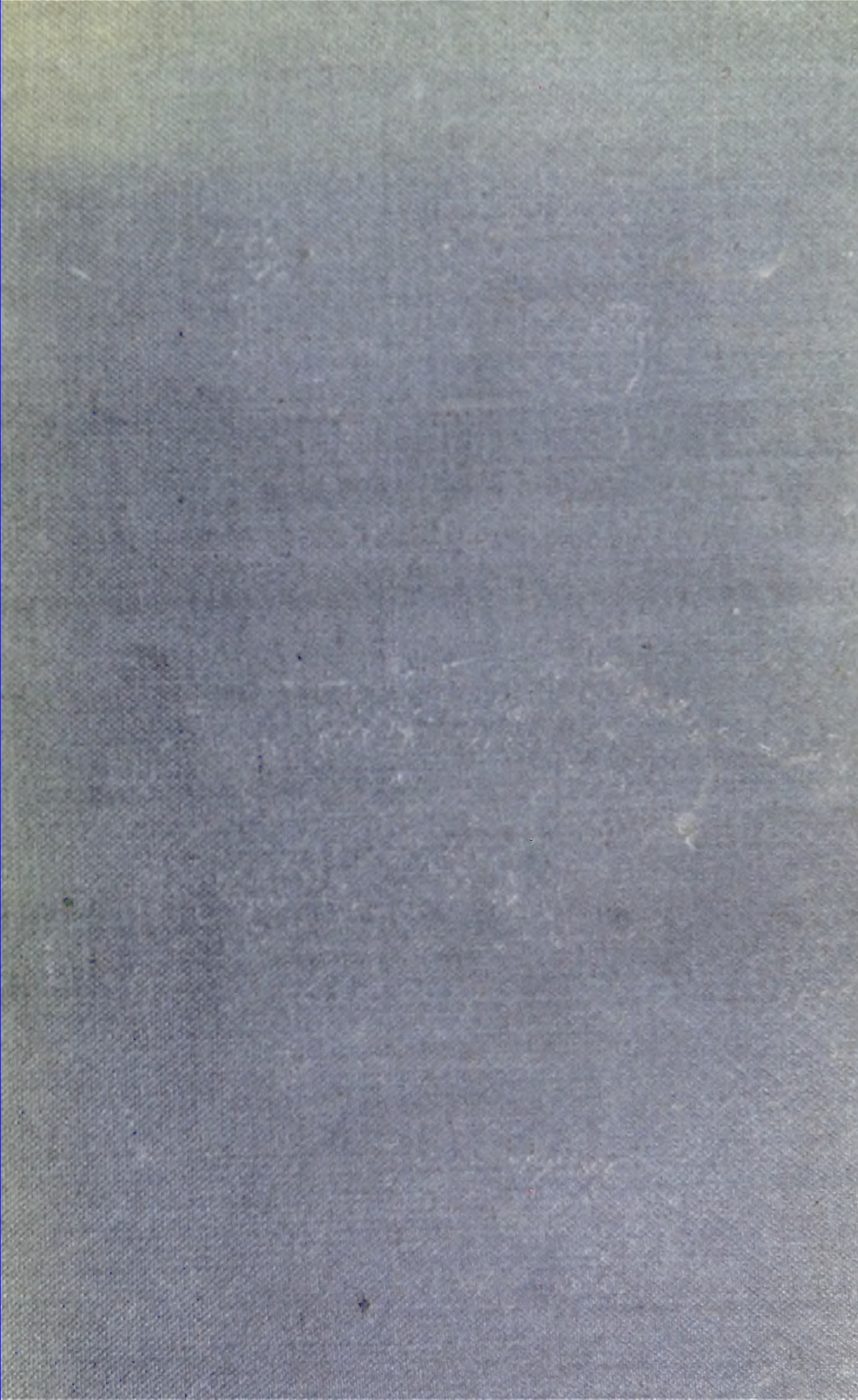




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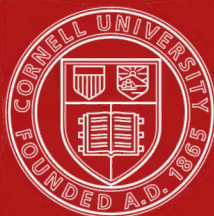
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REPORT AND EVIDENCE

UPON

THE RECOMMENDATIONS

OF

HER MAJESTY'S COMMISSIONERS

FOR INQUIRING INTO THE

STATE OF THE UNIVERSITY OF OXFORD,

PRESENTED TO THE

BOARD OF HEADS OF HOUSES AND PROCTORS

DECEMBER 1, 1853.

OXFORD:

AT THE UNIVERSITY PRESS.

M.DCCC.LIII.

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CONTENTS OF REPORT.

INTRODUCTION	p. i
--------------------	------

THE UNIVERSITY.

I. STUDIES ; EXAMINATIONS ; PRIZES AND SCHOLARSHIPS.

	Recom- mendations.	Page
1. <i>Studies</i>		6
Liberty to pursue special branches of study.	xii.	7
Evidence		8
2. <i>Examinations</i>		10
Examination before Matriculation	xi.	—
Examinations in Vacations	xx.	—
Long Vacation	xix.	—
3. <i>Prizes and Scholarships</i>		13
Restrictions, &c.— <i>Prizes</i>	xxi.	—
<i>Scholarships</i> .		
(1) Theological Scholarships		14
Johnson.—Kennicott.		
(2) Philological Scholarships		—
Craven.—Hertford.—Boden.		
(3) Law Scholarships		15
Vinerian.—Eldon.—Stowell.		
(4) Mathematical Scholarships		—
(5) Radcliffe Fellowships		16

II. DISCIPLINE.

1. Oaths	vi.	16
2. Distinction of Ranks	vii.	18
3. Debts, Credit, &c.	viii.	21
4. Vice-Chancellor's Court.	ix.	25

III. UNIVERSITY EXTENSION.		Recom- mendations.	Page
Amount of demand for <i>University Extension</i> .		x.	26
—Plans for extending the University....			29
1. System of Unattached or University Students			—
2. Affiliated Halls; and buildings annexed to Colleges			32
3. Independent Halls			35
4. Private Halls.....			39
IV. REVENUES.			
1. Publication of accounts		xxvi.	43
2. Fees		xxvii.	—
3. Application of Revenues		xxviii.	44
4. Stamp Duties and Statute of Mortmain		xxix.	—
V. MUSEUM AND LIBRARIES.			
1. Proposed <i>Museum</i>		xxv.	45
Collections			46
2. <i>Libraries</i>			47
Bodleian.....		xxii.	—
Radcliffe.....		xxiii.	48
College Libraries		xxiv.	—
Evidence.....			—
VI. PROFESSORS AND TEACHERS.			
1. Number of Professors.....		xiv.	50
2. Endowments, &c.			56
Fees		xviii.	57
3. Appointments of Professors; Restrictions, &c.		xv. xvi.	58
4. Assistant Professors		xvii.	—
5. Boards for the regulation of studies.....		xiii.	59
Evidence.....			60
VII. CONSTITUTION.			
1. Remodelled Congregation.....		ii.	66
Evidence.....			—
2. Office of Vice-Chancellor.....		iv.	69
3. Appointment and functions of the Proctors..		v.	70
Evidence.....			72
4. Delegates		iii.	73
5. The Hebdomadal Board.—The Initiative. .			76
6. Amendments in Convocation.....			83

CONTENTS.

v

VIII. THE STATUTES.	Recom- mendations.	Page
Power to alter Statutes	i.	86
Evidence.		88

THE COLLEGES.

I. STATUTES AND OATHS..... (xxxiii—xxxvi. xlv.)		91
1. Oaths	xxx.	92
2. Alteration of Statutes.	xlvi.	—
II. SCHOLARSHIPS.		
1. Changes in Trusts		93
2. Qualifications and number of Scholars.	xl.	—
3. Tenure of Scholarships.	xli.	94
III. FELLOWSHIPS.		
1. Opening Fellowships	xxxi.	—
2. Restrictions on the tenure of Fellowships.	xxxii.	95
3. Examinations ; and Elections to Fellowships	xxxvii—xxxix.	96
4. Professor-Fellows ; and College Revenues.	xlii. xliii.	97
IV. VISITORS ; AND HEADS OF COLLEGES	xliv. xlv.	98
Evidence.		99
CONCLUSION.....		107

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CHIEF RECOMMENDATIONS

OF

HER MAJESTY'S COMMISSIONERS

FOR INQUIRING INTO THE

STATE, DISCIPLINE, STUDIES, AND REVENUES,

OF THE

UNIVERSITY AND COLLEGES OF OXFORD.

Extract from the Conclusion of the Report of the Commissioners,
pp. 256—260.

WE will now sum up the chief recommendations which we have thought it our duty to lay before Your Majesty, with a view to restore the University and the Colleges to a sounder condition, and to render their great resources more serviceable to Education and to Learning.

We are of opinion:—

1. That the University should receive an indemnification in case it has exceeded its power in altering the Laudian Code, and should henceforth have full authority to make, abrogate, or alter Statutes, with the exception of a few Fundamental Articles not to be altered without the consent of the Crown or some other superior authority.

State and Dis-
cipline of the
University.

2. That the right of initiating measures should be confided to a body comprising Professors and other Academical Teachers as well as the Members of the Hebdomadal Board. For this purpose, it may be expedient that the body called Congregation should be remodelled, so as to consist of all Heads of Houses, the Proctors, all Professors and Public Lecturers, together with the Senior Tutors of all Colleges and Halls; that the Members of this body should possess the right of originating measures; that it should be convened by the Vice-Chancellor to discuss measures, only on the written request of a fixed number of its members; that it should be empowered to appoint Delegacies for discharging the functions usually belonging to the Committees of deliberative bodies; that its Members should be allowed to address the House in English; that measures, after being passed by this House of Congrega-

tion, should be proposed to the House of Convocation simply for acceptance or rejection, in the same manner that measures emanating from the Hebdomadal Board are now proposed; that, these changes being made, the Hebdomadal Board should continue to discharge its executive and administrative functions, and should also retain its present right of originating measures.

3. That the Standing Delegacies entrusted with executive functions should be composed partly of Official Members, and partly of Members approved by Congregation on the nomination of the Vice-Chancellor and Proctors; one-third of the persons thus nominated to retire every year, but to be reeligible; and that the Professors should be formed into a Standing Delegation, wholly Official and not liable to alteration, for the supervision of Studies, the appointment of Examiners, and the management of the Public Libraries. The official Members of the other Standing Delegacies to be determined by the House of Congregation.

4. That the Vice-Chancellor should be appointed absolutely by the Chancellor from the Heads of Colleges and Halls; and that the passage in the Laudian Statutes, which seems to give Convocation a veto on the appointment, should be removed from the Statute Book.

5. That the tenure of the Proctors' office should be extended to two years, one Proctor going out of office at the close of each year; and that the limitations with respect to standing should be no longer retained; that the Proctors should be elected by Congregation without regard to the cycle issued by King Charles I; that they should be re-eligible; that they should no longer have any share in nominating Examiners, in adjudging prizes, in electing certain Professors, or in appointing the Select Preachers; and that their power of veto on Acts of Convocation should be abolished.

6. That the imposition of Promissory Oaths for the performance of Academical duties should be prohibited.

7. That all distinctions between Noblemen, Gentleman-Commoners, and Commoners should be discontinued.

8. That, in order to place some check on credit, no debt whatever contracted by a Minor while an Undergraduate of Oxford should be recoverable, unless the bill shall have been sent in to the Undergraduate within three calendar months

after the date of the earliest item, and unless, in case of non-payment, a copy of the bill shall have been sent within six months from the same date to the parent, guardian, or College-Tutor of the debtor; and that no such action should be brought after the expiration of a year from the date of the earliest item.

9. That for the recovery of debts from Members of the University, the Vice-Chancellor's Court should hereafter proceed according to the forms of the County Courts, and that the practice of the Court should be thrown open.

10. That the provision of the Statutes, by which all Members of the University are obliged to belong to some College or Hall, as also that by which Colleges and Halls are obliged to have all their rooms accessible through one common gate, should be annulled; and that liberty be given for the extension of the University, as well by the foundation of Halls as by permitting Members of the University, under due superintendence, to live in private lodgings, without connexion with a College or Hall.

11. That there should be a public Examination for all Its Studies. young men before Matriculation.

12. That during the latter part of the Academical Course all students should be left free to devote themselves to some special branch or branches of study.

13. That the Professors should be distributed into four Boards for the regulation of Studies: I. Theology; II. Mental Philosophy and Philology; III. Jurisprudence and History; IV. Mathematical and Physical Science.

14. That a scheme should be framed by competent authority to provide for the requisite number of Professorships, partly by amalgamating some of those which belong to the same department, partly by suppressing those which are not wanted, partly by creating new Chairs; that the endowment of the Professorships should be increased, when inadequate,—further endowments being obtained by placing Professorships in certain Colleges, according to the precedent set by the Founders of Magdalen and Corpus.

15. That restrictions on the appointment of Professors should be removed.

16. That the appointment to newly-created Chairs should

be given to the Crown ; but that the appointment to existing Professorships should be left in the same hands as at present, except that those vested in Convocation, in the Graduates of Divinity, and in the Heads of Houses, should be transferred to Congregation.

17. That, to assist the Professors, Assistant-Professors or Lecturers should be appointed (whenever necessary) by Boards, to which they would respectively belong, subject to the approval of Congregation ; that, in case independent endowments cannot be supplied, a limited number of Fellows of Colleges, if appointed to such Lectureships, should, while holding them, retain their Fellowships though married ; and that Congregation should authorize the establishment of new Lectureships whenever they may be wanted, or the suspension of those which may have ceased to be required.

18. That Professors and Lecturers should be allowed to receive Fees.

19. That the Long Vacation should commence and terminate on fixed days.

20. That Examinations should be conducted (as far as possible) in the Vacations.

21. That steps should be taken to remove the restrictions which limit the usefulness of the University Scholarships and Prizes.

22. That the Bodleian Library should be placed under the management of the Professors. That, although no general permission to take printed Books or Manuscripts out of the building should be granted, the Professorial Delegacy or Congregation should have power to give permission in special cases. That the hours for reading should be extended ; and a Reading-room provided, with due accommodation. That the Visitation of the Library should no longer take place in full Term.

23. That arrangements should be made for transferring the department of Physical Science to the Radcliffe Library ; that for this purpose the Curators of the Bodleian Library should be empowered to make over books in that department to the Trustees of the Radcliffe Library ; and that if this division of subjects be effected, the Radcliffe Library should be placed

under the supervision of the Professors of Physical Science. That a special Library of Archæology and Art should be formed in the building, called the "University Gallery."

24. That a Catalogue should be prepared, supplementary to that of the Bodleian Library, for the purpose of indicating such Books as exist in the other Libraries in Oxford, but are not to be found in the Bodleian.

25. That the University should proceed with the plan lately brought forward for building a great Museum for all departments of Physical Science, with proper Lecture-rooms, Laboratories, and apparatus for Lectures. That the Trustees of the present collections of various kinds should be empowered to transfer their collections to this Museum; and that the Curators of the Museum should be the Professors of Physical Science.

26. That a Balance-sheet of the Revenues of the University Its revenues. should be printed annually for the use of Convocation; and that the Account Books themselves should be accessible. That a statement of the proceedings of the Delegates of the Press should be made annually, so far as could be done without injury.

27. That the Table of Fees exacted by the University should be revised, so as to equalize all Fees demanded for the same purpose, and to abolish all those which are exacted for no service, or which are unnecessary; due regard being paid to vested interests.

28. That the funds at the disposal of the University should be applied to University purposes only; due regard being paid to the local claims of property belonging to the University.

29. That the Stamp Duties levied on Matriculations, on Degrees, and on Certificates of Degrees, should be remitted; and that the Statute of Mortmain should be relaxed so far as to allow the University to invest its funded property in land.

30. That all Oaths imposed by College Statutes, and all The Colleges. Declarations against change in Statutes, should be prohibited as unlawful.

31. That all Fellowships should be thrown open to all Members of the University wherever born, provided they have taken the Degree of Bachelor of Arts, and can produce a proper certificate of character. That for reasons stated in the

body of our Report, an exception to this rule should be made in regard to New College and St. John's College.

32. That persons elected to Fellowships should be released from all restrictions on the tenure of their Fellowships arising from the obligation to enter into Holy Orders, or from that of proceeding to Degrees in the Faculties of Theology, Law, or Medicine;—but that it would be expedient to modify rather than remove the restriction arising from the possession of property; and that celibacy should still continue to be a necessary condition for holding Fellowships, with certain specified exceptions.

33. That steps should be taken in the various Colleges to prevent the annual value of any Fellowship from amounting to more than 300*l.*, or falling below 150*l.*

34. That no portion of the Funds of Colleges, except those specifically given for that purpose, should be applied to the purchase of advowsons.

35. That any surplus remaining, after making due provision for the Fellows, should be applied to increase the number and value of Scholarships, and that no Scholarship should be of less amount than 50*l.* a-year.

36. That in Colleges where there is more than one Foundation, all Fellows should be placed on the same footing, both as to rights and duties.

37. That for the election of Fellows and Scholars in the larger Colleges, Boards should be formed, consisting of not less than twelve, and including the Head and all Fellows engaged in Education; that in all cases the election should be made by the suffrages of the whole Board, or of the whole Society, as the case might be, and not by nomination; and that all elections should be determined by the merits of the Candidates, as tested by Examination.

38. That a certain number of Fellowships should be, for the present at least, appropriated for the encouragement of the new Studies introduced into the Academical system.

39. That, if necessary, the Visitor should have power to issue a Commission for the re-examination of Candidates for Fellowships, on appeal from rejected Candidates who can give *primâ facie* evidence of higher merit than those who have been elected, and to reverse the decision of the Electors.

40. That all Scholarships should be thrown open to Your Majesty's subjects under the age of nineteen, of whatever lineage or birthplace ; and that in those Colleges which have at present but few Scholarships, or a number not proportioned to their wealth and resources, the number should be increased. That the only exceptions should be that, (1) at Jesus College certain Scholarships should be reserved for persons born or educated in Wales ; and that, (2) at Colleges in connexion with particular Schools, certain Scholarships should be reserved for persons educated at those Schools, subject to the provisions specified in the body of our Report.

41. That no Scholarships or Exhibitions in the gift of Colleges should be tenable for more than five years ; and that in no case should a Scholarship lead to a Fellowship without fresh competition.

42. That College Revenues should be made to a certain extent available for the Education of the University ; and that for this purpose the three Lectureships founded by Fox at Corpus Christi should be restored and endowed with revenues from the College funds, sufficient to maintain two Professors ; that at Magdalen, where three similar Lectureships were founded by Waynflete, six should be created and endowed for the maintenance of six Professors ; that at Merton two, and at All Souls four or more, similar endowments should be made, to which might be added, if necessary, one at New College and one at Queen's. That these Colleges should be empowered to suppress, either for a time or altogether, a sufficient number of their Fellowships, in order to provide these endowments without too much diminishing the emoluments of the remaining Fellows.

43. That these Professor-Fellows should not be elected by the College Electors, but that such Fellowships should follow the Professorships to which they may be respectively attached.

44. That the Heads of Colleges should be elected from any persons who have taken the degree of Master of Arts ; and that the election to these offices should, if possible, be left to the Fellows of the College ; but that, in case abuses in these Elections should continue, provision to abate them should be made by an alteration in the mode of election.

45. That in all cases the Visitors should be empowered to

visit their Colleges, and to correct abuses ; and that the Head of each College, under the Seal of the College, should transmit annually a Report on the State, Discipline, Studies, and Revenues of the College, according to such a form as the Visitor may think fit, and that the Visitor should be called upon to lay a copy of such Report before the Sovereign, with such observations as he may think fit to make.

46. That the principles embodied in the above recommendations with regard to the Colleges in general should be applied to the several Societies in the manner specified in the body of our Report.

47. That the Head and Fellows in each Society should have power, under such control as may be thought expedient, to alter or abrogate Statutes, and to frame new Statutes as occasion may require.

In drawing up this Summary of our Recommendations, we have not attempted to make any distinctions between them. It must be manifest, however, on a cursory survey, that these Recommendations are very different both in kind and in importance. Some the University and the Colleges have not the power to adopt, without assistance from superior authority ; some they have power to carry out, though they are not likely to avail themselves of that power ; some, we hope, they may be induced to consider and to carry into effect of their own free choice ; a hope which is strengthened by the fact that several important changes have been made since Your Majesty's Commission was issued. It may be thought doubtful whether those which involve alteration in the Laudian Code require external aid or not : but even a doubt on such a point renders it necessary to refer the question to superior authority. But no doubt can exist as to the necessity of legislative interference, if the principal measures which we have recommended for the reform of the Colleges are to be carried into effect.

Of the proposals which affect the University, the most important are those which we have made for remodelling the Constitution, and for abolishing the existing monopoly of the Colleges and Halls, by allowing Students to reside in Oxford without the expense of connexion with those bodies. In regard to the Colleges, we would especially urge the immediate neces-

sity of opening the Fellowships and Scholarships, of attaching Professorships to certain Colleges, of increasing the number and value of Scholarships, of granting to the Colleges the power of altering their Statutes, and, above all, of prohibiting as unlawful the Oaths to observe the Statutes. The evil of these Oaths will be much increased after the publication of the statements which we have felt it our duty to make.

In offering these Recommendations we have been guided solely by the desire to render the great Institution, which is the subject of our inquiry, greater than it has ever been. Our object has been to lay such proposals before Your Majesty as we believe to be calculated to place the University of Oxford at the head of the Education of the country, to make its great resources more effectually serve their high purposes, and to render its Professors fit representatives of the learning and the intellect of England.

REPORT.

To the Board of Heads of Houses and Proctors.

THE Committee appointed by the Board of Heads of Houses and Proctors, June 16, 1852, "to consider and report upon the Recommendations of Her Majesty's Commissioners, so far as they apply to the case of the University;" and instructed "to seek for the advice and assistance of Members of Convocation in whatever manner might appear to the Committee to be most advisable;" beg leave to present the following Report:

In accordance with these instructions your Committee first obtained the assistance of the Proctors for the time being, who were made Members of the Committee; and then requested communications oral or written from any other members of Convocation who might be pleased to favour them with their advice or opinions^a. With this view in October 1852 they re-

^a The Committee consisted of the late and present Vice-Chancellors, (the Master of University, and the Provost of Worcester,) of the Provost of Oriel, the Dean of Christ Church, the Warden of Wadham, the Principal of St. Alban Hall, the Principal of Brasenose, the President of Corpus, together with the late Senior and Junior Proctors, Mr. Lake of Balliol and Mr. Pritchard of Corpus, in the first instance, and afterwards, the present Proctors, Mr. Chase of Oriel, and Mr. Knott of Brasenose College.

requested the Vice-Chancellor to publish the following Resolution :

At a Meeting of the Committee appointed by the Board of Heads of Houses and Proctors, to consider and report upon the Recommendations of Her Majesty's Commissioners,

RESOLVED,

THAT the Vice-Chancellor be requested to send a Copy of the Commissioners' Recommendations to the Vice-Gerent of every College and Hall, with an intimation of the desire of this Committee to receive written communications through the Vice-Chancellor from any Member of Convocation upon any of the Recommendations of Her Majesty's Commissioners: or, if any Member of Convocation should prefer to confer with the Committee *vivâ voce*, requesting that he would mention to the Vice-Chancellor upon what subject (numbered as in the printed list of Recommendations) he particularly desires to do so; in order that he may be informed by the Vice-Chancellor at what time the Committee will be engaged with those particularsubjects.

October 28th, 1852.

And, with the consent of your Board, they also published the following additional Notice :

INQUIRIES having been made whether Evidence sent by Members of Convocation to the Committee appointed by the Board of Heads of Houses and Proctors "to consider and report upon the Recommendations of Her Majesty's Commissioners so far as they apply to the case of the University" will be printed;

The Committee desire to state that they are authorized by the Board to print such Evidence with the consent of the Writers.

Nov. 9th, 1852.

We are happy to state that several members of Convocation responded to these invitations; two of them conferring personally with the Committee, and

others communicating in writing the Evidence contained in the accompanying Volume. It is not improbable, indeed, that more Evidence might have been communicated to us, had we not thought it necessary to issue the following Notice in February last :

THE Committee appointed by the Board of Heads of Houses and Proctors “ to consider and report upon the Recommendations of Her Majesty’s Commissioners so far as they apply “ to the case of the University,” request that Members of Convocation who may intend to favour them with Communications upon the subject will have the goodness to send them to the Vice-Chancellor not later than Monday, April the 18th.

February 12th, 1853.

We issued this Notice in consequence of our anxiety to present some account at least, of our deliberations at the earliest period in our power ; and at that time we intended to lay before you successive Reports upon portions of the general subject ; an intention which we were subsequently induced to abandon. Possibly also some Members of Convocation apprehended from the terms of the preceding Notices that they were precluded from sending us any information or opinions touching the Colleges. You will, however, find a considerable amount of valuable Evidence in the printed Volume ; to many parts of which we have referred in this Report. Some portions of the Evidence, indeed, were only forwarded to us very lately, and we may not, therefore, have referred to every part of it alike ; but the Board will easily supply any omissions in our references. And we thought it better not to withhold anything which the writers consented to print (and almost every one has given his consent), although not communicated to us so early as we had desired.

Having now received all the communications of which we could avail ourselves, we proceed to offer to

the Board the result of our deliberations upon some of the most important subjects treated of by Her Majesty's Commissioners.

We have prefixed to these pages the "Summary of their Recommendations" presented by the Commissioners in pages 256—260 of their Report, which we have made the basis of our observations, but without following the exact order of the Recommendations. The various subjects adverted to are distributed in the Summary under the following heads: "State and Discipline of the University—its Studies—its Revenues"—The Colleges." They may however with greater convenience be subdivided, as they are in fact thrown under other heads in the Report of Her Majesty's Commissioners.

And looking to their own nature, and their connexion with one another, or with the leading purposes for which the University was established, we have found it convenient to arrange the several particulars under consideration in the following order:—

First, as connected directly with THE UNIVERSITY;

I. *Studies ; Examinations ; Prizes ;* as referred to in Recommendations 11, 12, 19, 20, 21.

II. *Discipline ;* touched upon in Recommendations 6, 7, 8, 9.

III. *University Extension ;* in Recommendation 10.

IV. *Revenues ;* noticed in Recommendations 26, 27, 28, 29.

V. *Museum and Libraries ;* in Recommendations 22, 23, 24, 25.

VI. *Professors and Teachers ;* under Recommendations 13, 14, 15, 16, 17, 18.

VII. *The Constitution of the University ;* comprehended under Recommendations 2, 3, 4, 5.

VIII. *Statutes ;* referred to in Recommendation 1.

Secondly, as connected with THE COLLEGES, but some of these Recommendations also affecting the University;

I. *Statutes and Oaths*; Recommendations 30, 47.

II. *Fellowships*; Recommendations 31, 32, 37, 38, 39, 42, 43.

III. *Scholarships*; Recommendations 40, 41.

IV. *Heads of Colleges*; Recommendation 44,
Visitors; Recommendation 45 :

Sensible as we are that the following Report is far from doing justice to the important and complicated subjects which it was our duty to examine, we may be permitted to say that we have devoted to them considerable time and attention, much more indeed than the Committee could well afford to spare from their other duties. And although in many important particulars we have been unable to concur in the Recommendations of Her Majesty's Commissioners, we have endeavoured to consider them all fairly and frankly, which we know was your desire, with the single purpose of deriving from them whatever advantages we best might for the benefit of our Institutions, and the promotion of Learning, Science, and Religion.

THE UNIVERSITY.

I. STUDIES; EXAMINATIONS; PRIZES & SCHOLARSHIPS.

I. STUDIES;
EXAMINA-
TIONS;
PRIZES AND
SCHOLAR-
SHIPS.
1. *Studies.*

1. If there are palpable defects in the course of *Studies* at present prescribed for the Junior Members of the University, it is manifest that this is a subject which would require immediate consideration.

But to this subject the University has in fact devoted great attention during the last fifty years. The system established by the Laudian Code in 1636, and which had continued unaltered till the close of the last century, having become ill-adapted to the wants of the time; a vigorous and effective Reform was introduced by the first Examination Statute of May 1800. Various alterations, more or less important, were effected by the successive Examination Statutes of 1807, 1808, 1825, 1826, 1830, and 1840. And, finally, in the course of the years 1849 and 1850, a further change was introduced, more important and extensive than any which had preceded it since the year 1800; adding to the number of Examinations during the Undergraduate course, and introducing new Studies, Modern Physical Sciences, together with Modern History and Law. We think that this Statute should not be disturbed in any of its main provisions, until it has been fairly tried.

All Statutes of this kind are of course in the nature of experiments, and lead occasionally to consequences not intended by their authors. The several Statutes of

1800, and the subsequent years, were not intended to diminish the attendance upon the Lectures of the Public Professors, or increase the number of Private Tutors, or lessen the number of Students who devote themselves to the study of Mathematics, which nevertheless have been among their effects. But the recent Examination Statute has scarcely had time to display its fruits, whether for good or for ill. It was passed just before the Royal Commission was issued; it could only be brought into full operation gradually; and the Final Examination which it provides took place for the first time in the last Easter Term.

We do not think it desirable therefore to interfere at present with the operation of the recent Examination Statute, by providing, according to the 12th Recommendation, "that during the latter part of the Academical Course," (which we understand to refer to the Undergraduate Course,) "all Students should be left free to devote themselves to some special branch or branches of study."

So far, indeed, as the University is concerned, since she permits the student to pass his final examination in the first Term of his fourth year, she does in fact leave every student at liberty to devote himself for the remainder of his Academical Course to such studies as may be most suitable to him in the judgment of himself and his College. And if a student is examined in his thirteenth Term in the School of "Literæ Humaniores" alone, and is still preparing for an examination in a second School, he may often combine other studies, and even elementary Professional pursuits, with that

^b The *Report* referred to here, and subsequently, is that of the Commissioners. The *Evidence* referred to is not that which the Commissioners published, but that which we have ourselves received and printed.

preparation. The New Theological Statute was altered in the present year to meet this very case ; and several students are at this time attending the Lectures of the Theological Professors during the interval between their examinations in the first and the second Schools.

In the Evidence with which we have been favoured there are some strong opinions expressed against precipitately disturbing the present Statute before it has been fairly tried ; and not only so, but actually reversing the deliberate judgment of the University after its consideration of that Statute during more than a year^c. But several of the writers go beyond this practical view of the question, and discuss the very grave principles upon which the Commissioners' proposal really rests ; that of abridging, namely, our present *General* Education, for the sake of introducing *Professional*, and more particularly professional instruction in *Theology*, at a much earlier period. It is of course of the essence of a Liberal Education that it should be *general*. How long it should continue so, or at least how long it should be only general, is the question. And most of these writers are decidedly of opinion that the University has allowed the introduction of Professional studies quite early enough. We have one Paper indeed from Mr. Chretien, Mr. Congreve, and several other members of Convocation, expressing their adhesion generally to the propositions of the Commissioners, (with some slight exceptions,) and² to this, we may presume, among them^d. And Mr. Litton has contributed a paper advocating a distinct School for Divinity in order to the degree of B. A. for those who are designed for Holy Orders, whom, with the Commissioners, he would emancipate from the study of the "*Literæ Humaniores*" after they have passed the first Public Examination

^c Evidence, pp. 93. 97. 275.

^d *ibid.* pp. 341—344.

under the Moderators ; and this, it should seem, principally, on account of his objections to the lately established Diocesan Colleges^e. Mr. Justice Coleridge, on the other hand, whilst he earnestly recommends elementary Legal Education both generally, and for Lawyers, not as a special duty, but as “ compulsory upon all,” would greatly prefer having such instruction given at Oxford rather than in London, “ if it were only,” he writes, “ from its superseding any thought of shortening the Academical Course, which I look on as a great evil^f.” Mr. Hussey would have Undergraduates “ follow the course prescribed. This freedom “ ‘ to devote themselves, &c.’ means *freedom to give up* “ some other branches of study ; which it would be “ better to continue until the B.A. degree is gained^g.” Mr. Gordon argues strongly against the Commissioners’ proposal, (noting also some unfairness in their language,) and in favour of the present system, in which the utmost alteration he would allow, and that reluctantly, would be a liberty to pass the School of “ Literæ Humaniores ” at the end of the third year instead of the beginning of the fourth : and he cites the high authority of Dr. Whewell on his side^h. Mr. Muckleston and Mr. Marriott are clearly of the same opinion ; considering “ the present Academical Course “ not too long to be occupied mainly with general “ education,” and that “ if Oxford is still to send out “ educated *men* she must not depart from this systemⁱ.” Mr. Chapman and Mr. Round consider both Classical and Theological studies indispensable for the degree of B. A., and would have them carried on up to that period : deferring the elements of Professional Educa-

^e Evidence, pp. 405-414.

^h *ibid.* pp. 202-204.

^f *ibid.* p. 500. ^g *ibid.* p. 235.

ⁱ *ibid.* pp. 254, 255. 307, 308.

tion until after that degree^k. But the Professor of Hebrew goes more fully into the question, shews the highly injurious tendency of the Commissioners' Recommendation, points out the evils it has produced in Germany from which they borrowed it, and the good effects of the contrary system, in favour of which (as to general Theology required of *all* for the B. A. degree) the University has repeatedly expressed its solemn judgment, remonstrates against their reversing the system recently adopted, the University having "*enlarged* the previous line of study, the Commissioners proposing to *contract* anew the University studies in the opposite direction." He dwells especially on the evil effects which would follow from a Theological School being adopted for the B. A. degree. He believes the Commissioners' plan "tends to contract the mind by premature Professional study, and to make that study in the case of secular Professions irreligious, and in Theology to substitute an immature and undigested knowledge for solid discipline of mind." But he brings high authority also, Legal, Medical, and Theological, in support of his opinions and arguments. His communication on this subject, in a word, abounds with valuable information and sound remarks not admitting of abridgment^l. And whenever this grave question comes before the Board and the University, injustice will be done to it, if this Evidence is not carefully considered^m.

^k Evidence, pp. 446-450. 489.

^l *ibid.* pp. 93-111.

^m On the particular subject of the New Theological Statute we have received some information from the Professor of Ecclesiastical History, and Dean Ireland's Professor; shewing the actual amount of attendance upon the Theological Lectures, and proving that the Commissioners have incorrectly inferred the failure of the Statute from the failure of the voluntary Examination under it; (which was subordinate, and might be even dispensed with to the actual benefit

2. In the 11th Recommendation “that there should
 “be a *public* Examination for all young men *before Ma-*
 “*triculation,*” your Committee does not concur. Much,
 no doubt, may be said in its favour; and particularly
 with respect to its effect upon places of education pre-
 paratory to the University. Hence it was strongly ad-
 vocated by many members of the Board of Heads of
 Houses and Proctors about five and twenty years ago;
 but the proposition, though not pressed to a division,
 appeared to be disapproved by a majority of the mem-
 bers. Some of the reasons urged against it then have
 greater weight now; since the time of the first Exami-
 nation (the Responsions) has now been brought nearer
 by three terms to the period of Matriculation; and the
 increased number of Public University Examinations
 has made the difficulty in providing fit Examiners
 greater than before; and especially for an office like
 this, conferring no honour upon the Examiner, yet re-
 quiring the exercise of peculiar judgment.

2. *Examina-*
tions.
 Recom. 11.
 Report, pp. 68-
 70.

The standard also of a Public Examination could
 never be placed so low (though it would be low), as not
 to exclude some Candidates for Matriculation who are
 now, under peculiar circumstances, very properly ad-
 mitted by the several Colleges. And to their discretion
 upon the whole your Committee would still leave the
 consideration of the Candidate's fitness; since College
 Examiners ought to take his previous education, or
 health, or other circumstances into consideration, which
 Public University Examiners ought not.

If, however, Students should be hereafter admitted
 to the University without being Members of any College
 or Hall, it may then be incumbent upon the University
 itself to ascertain their qualifications for admission.

of the Students,) whilst the Statute itself has been to a considerable
 extent successful. Evidence, pp. 244—247. 358—362.

Several experienced members of Convocation of different Colleges, Christ Church, Worcester, Balliol, Oriel, Mr. Gordon, Mr. Hussey, Mr. Muckleston, Mr. Marriott, The Vice-Chancellor, Mr. Chapman, all desirous of an examination by Colleges, have urged strong reasons against a Public University Examination before Matriculation. Mr. Gordon cites also, and begs your attention to, the observations of Mr. Martin of Trinity College Cambridge, as given by Dr. Whewell. Dr. Pusey wishes for an Examination by the University, but *private*. The Vice-Chancellor and Mr. Chapman would have the Colleges certify to the University that they had admitted their members after due examination^m.

Recom. 20.
Report, p. 85.

Your Committee concur to a considerable extent in the 20th Recommendation "that Examinations should "be conducted (as far as possible) in the Vacations."

They suggested, accordingly, to your Board that the Final Examination, and the Examination by the Moderators, should begin before the usual commencement of residence in Colleges in the Easter and Michaelmas Terms; in order that the examinations by written papers might be completed prior to the commencement of residence in those terms. The Examination by the Moderators, for example, might begin on the Monday after the Easter week; and again on the Monday preceding the 10th of October. But there are difficulties in these details, and you may, perhaps, prefer other suggestions which you have received on this subject.

Recom. 19.
Report, p. 85.

We do not recommend any alteration in the commencement or the termination of the Long Vacation, as suggested in the 19th Recommendation.

We have few remarks upon these subjects in the printed Evidence. Dr. Pusey considers, that Examina-

^m See Evidence, pp. 167-169. 199-201. 234, 235. 254. 306, 307. 389, 390. 454, 455.

tions should take place in Term time; Mr. Muckleston, that they might be held in the Christmas and Easter Vacations, but not in the Long Vacation. Mr. Gordon would "object to any attempt to ignore the ecclesiastical divisions of the year;" but he offers several observations in detail upon the best times for holding the Responsions and the Moderations. In the time for holding the Second Examination he thinks no alteration should be madeⁿ.

3. With respect to the 21st Recommendation, "That 3. *Prizes and Scholarships.*
"steps should be taken to remove the restrictions which *Recom. 21.*
"limit the usefulness of the University Scholarships *Report, pp. 110-115.*
"and Prizes," your Committee do not suggest to the Board any alteration affecting the *Prizes*. Nor, indeed, do Her Majesty's Commissioners suggest any, though they record a suggestion of Professor Vaughan's respecting the Arnold Prize, which has not been passed by without consideration.

But your Committee concur with the Commissioners in recommending some alterations respecting the Judges in the case of Mrs. Denyer's Prizes, and of the Prizes for composition in Latin and English.

They would suggest that the Vice-Chancellor and Proctors should be relieved from deciding the Denyer Prizes, and that the duty should be assigned to the Regius and Margaret Professors of Divinity, together with one of the other Divinity Professors associated with them either by turns or by some arrangement between the Professors.

And for deciding the Chancellor's and the Newdigate Prizes, they recommend that, instead of the two Proctors, the Professor of Moral Philosophy and the Professor of Latin (as they expect that such a Profes-

ⁿ Evidence, pp. 169, 170. 214-216. 255.

sorship will be shortly founded,) should be associated with the Deputy of the Vice-Chancellor, the Public Orator and the Professor of Poetry.

With regard to *Scholarships*, following the order observed by the Commissioners, and for the most part concurring with them in their suggestions,—

(1st) as to the *Theological Scholarships* ;

Your Committee think it might be desirable that the persons empowered to appoint Examiners for the *Johnson Scholarships* should have authority to appoint more than three Examiners, when the same persons might not be the best qualified to examine both in Theology and in Mathematics.

It might be desirable also that these Scholarships should be open to persons under *six* years' standing from their Matriculation.

But the provisions for this Foundation being made by Dr. Johnson's will, no alteration could be made except by the authority of the Court of Chancery, or of the Legislature.

The *Kennicott Hebrew Scholarships* might be advantageously divided, in the opinion of your Committee, into three Scholarships instead of two ; tenable for three years instead of four ; so that one Scholarship might become vacant in each year. And they think that these Scholarships need not be restricted, as at present, to Bachelors of Arts in their *first* year from their Degree.

(2ndly,) *Philological Scholarships* ;

With respect to the *Craven Scholarships* your Committee concur in the suggestions recorded in the Craven Book as presented by the Electors to the Archbishop of Canterbury and the other Trustees in 1837 ; particularly with reference to the prohibition introduced by William Lord Craven in 1649, and confirmed

by Convocation, (but not contained in the will of 1647), by which prohibition Fellows and Scholars of Colleges, not being of the name or kindred of Lord Craven, are made ineligible: and also with reference to the qualifications of Candidates who are of Lord Craven's name or kin, which the Electors wished to include not merely poverty but also a fair proficiency in learning.

Your Committee are desirous that the Electors should again bring these suggestions under the consideration of the Trustees.

The prohibition above mentioned does not appear to be alluded to in the Decree of Chancery of 1819; and the regulations of 1649 (which seem never to have been adopted at Cambridge) may possibly be set aside by consent and concurrence of the Convocation and Lord Craven's heir at law.

The *Hertford* Scholarships, the Committee are of opinion, should be open to all who have not completed their *ninth* Term; instead of the two years, within which they are eligible, dating as at present from the day of Matriculation.

With respect to the *Boden* Scholarships the Committee think that it would not be desirable, and that it would militate against the design of the Founder, so to extend these Scholarships and the Boden Professorship, as to make them encourage the study of comparative Philology founded upon Sanscrit.

They are also of opinion that Sanscrit should not be made a subject of the Public University Examinations; and that the Scholarships should only be open, as at present, to Candidates who have not completed their 25th year.

(3rdly,) *Law Scholarships*; For the *Vinerian* Law Scholarships provision has been already made by the New Statute passed in the last Term.

The *Eldon* and *Stowell* Scholarships and Fellowships are not in the hands of the University, but of their respective Trustees.

(4thly,) *Mathematical Scholarships*.

Reference has already been made (page 14) to the *Johnson* Scholarships; and your Committee have no new suggestion to offer respecting the *University Mathematical Scholarships*.

(5thly,) *Radcliffe Fellowships*.

The restriction alluded to by the Commissioners (that the Candidates should be Masters of Arts, and entered on the Physic line) it would be obviously desirable to remove; because, by a recent University Statute, Students in Medicine are no longer obliged to become Masters of Arts before they are entered on the Physic line.

There are few, if any observations upon these subjects in the printed Evidence.

II. DISCIPLINE.

II. DISCIPLINE.

1. The 6th Recommendation, "That the imposition of Promissory Oaths for the performance of Academic duties should be prohibited," appears to have only Oaths of office in view. *Oaths of obedience*, however, as well as *promissory oaths for the performance of duties*, were not long since required of all members of the University even from their first admission into it; and we may thus connect this subject with that of Discipline.

But the University, having abrogated several unnecessary oaths in 1827, proceeded in 1836, and 1838; to review the whole subject, abrogated several oaths, and substituted simple promises, or declarations, or admonitions, in lieu of others; and particularly an

admonition in lieu of the oath of obedience to the Statutes formerly required at the Matriculation.

Your Committee are now of opinion that in all cases a promise should be substituted for the oath to observe the Statutes; and that upon taking the Degree of Bachelor of Arts a Declaration to this effect should be signed by the party admitted to the Degree.

But that an Oath should be administered to persons admitted to Regency or to any University office, that is to say in those cases in which the oath of office was not abrogated in 1836.

We find some conflicting Evidence upon the subject of Promissory Oaths; but the writers have only considered the subject generally, and have not examined the separate Oaths throughout the Statute Book as was done by the Committee appointed in 1836. Thus Mr. Hussey argues against them generally; and thinks they "may well be dispensed with." Mr. Muckleston seems to assume that they are unnecessary. Mr. Rickards contends that they "are for the most part "practically disregarded, and are therefore morally "objectionable^o." Dr. Pusey, on the contrary, "knows "not on what ground they should be abolished. There "are temptations against which their sacredness is a "good protection." Mr. Gordon, "so long as these "oaths are required elsewhere and in other cases, is "unable to discern the principle on which they should "be prohibited as regards Academical duties." And Mr. Marriott believes "that there is no other method "of placing responsibility in its true light before the "greater part of men;" and thinks "that the abolition "of oaths would remove a silent but powerful moral "influence which is at present operating to promote "the conscientious discharge of duty^p."

^o Evidence, pp. 225, 226. 251. 497.

^p *ibid.* 162. 181. 305.

2. *Distinctions
of rank.*
 Recom. 7.
 Report, pp. 28,
 29.

2. In the Commissioners' 7th Recommendation, "that all distinctions between Noblemen, Gentlemen-Commoners, and Commoners, should be discontinued," your Committee cannot concur.

There are indeed some inaccuracies in the statements of their Report on this subject. The permission e. g. granted to Noblemen and some others to take Degrees "at an earlier period than other students" has not been accorded, as your Committee believe, simply out of "a deference to rank," but rather under the supposition that such Students might be called earlier than others, as in fact they often are, into public life. And, with respect to some Colleges certainly, it is wholly incorrect to state that the Gentleman-Commoner, or, as in some cases he ought rather to be styled, the "Fellow-Commoner," "receives less instruction, "and is subjected to a less careful discipline." At one period, indeed, if not of late years, there was a larger proportion of Noblemen and Fellow-Commoners, than of Commoners, who attained to high distinction in the Schools. In some cases also, the distinction operates as an important sumptuary law, and tends towards what is peculiarly needed in Oxford, the general repression of the average rate of expenditure on the part of the Commoners.

There must of course be in this as in all similar cases a choice of evils, and no system will be free from any obvious evils in particular cases; but upon the whole, looking to the age of the parties, their future expectations and circumstances and destination in life, (to which their present position, allowances, and expenditure should be in some measure accommodated,) your Committee are of opinion that the distinction in the case of Noblemen, as also in that of Gentlemen-Commoners and Fellow-Commoners, should be retained.

In the latter instance, indeed, the Commissioners would appear to be of this opinion, or at least in regard to special cases.

We are strongly supported in our views of this subject by most of those who have considered it in their Evidence. Mr. Rickards, indeed, “believes from his “experience at a public School and at the University “that the abolition of these distinctions is desirable, “especially for the sake of the younger members of “the Aristocracy^q.” But Dr. Pusey, Mr. Gordon, Professor Hussey, Mr. Muckleston, Mr. Marriott, the Vice-Chancellor and Mr. Chapman, are generally agreed in considering that their abolition “would do harm “in many ways, and good in few or none.” Some of these writers enter very fully into the subject; remark that “where wide differences of rank and social position “exist, it is wise to recognise them;”—“the mere “recognition of rank or station cannot injure those “who *have* it. It is simply to own a fact in God’s “providence.” These distinctions “are agreeable to “the spirit of English institutions, and the habits of “English society; and their existence here prepares “young men for that gradation of ranks which they “will everywhere encounter in after life.” “They are “a protection to the poor and no temptation to the “rich, though undoubtedly some are injured by the “possession of money which they do not know how to “spend.” “These distinctions are a great help to “discipline;” and in some cases enable older Undergraduates to exercise a considerable and very beneficial “influence over their fellow-students.” It is further remarked, by Mr. Gordon, that several of the “distinguished individuals who have given evidence (to “the Commissioners) are in favour of retaining them,

^q Evidence, p. 497.

“ and that no question appears to have been raised on
 “ the subject by the Commissioners of the Sister Uni-
 “ versity ;” and he proceeds to shew, that “ where the
 “ general rate of charges is upon an eleemosynary
 “ scale,” (that is to say, the charges for rooms, Tuition,
 &c., “ would be higher if there were no Foundations,”) “ a
 “ distinction ought to be made between the richer
 “ and poorer members.” And he dwells at some length
 upon this topic (upon which much of the present
 Academical system rests); and also upon the facts
 connected with the education and circumstances of the
 poorer Students; and he thinks “ it would be a vain
 “ and impractical striving after equality that would
 “ lead us to ignore these facts, and place youths so
 “ circumstanced in the same position with the sons of
 “ the richest noblemen or gentry of the land.” Dr.
 Pusey also dwells upon the advantage derived from
 the wealthier students being excluded from competi-
 tion for Scholarships, &c., without slur on themselves.
 It is admitted, meanwhile, that these distinctions might
 not always operate beneficially in very small Colleges.
 And no one wishes to press them upon Colleges against
 their judgment; it is only desired that those Colleges
 which consider them beneficial should be allowed to re-
 tain them; and this, not in order that they should be
 “ associated with any idea of immunity from duty, or
 “ concessions to idleness and self-indulgence.” In point
 of fact the higher orders have frequently been among the
 most industrious. “ The University distinctions gained at
 “ times by those of the highest rank at Christ Church
 “ have been beyond all proportion to their numbers.”

These brief extracts are only designed to supply
 some hints of the views and observations of the several
 writers^r.

^r See Evidence, pp. 162—164. 181—185. 226—228. 251. 306. 391. 457.

3. With respect to *debts and credit, and extravagant habits* generally, the Committee concur in most of the observations of Her Majesty's Commissioners. The subject indeed has frequently of late years engaged the anxious attention of the Board of Heads of Houses and Proctors; and if they have not brought it, on more than one occasion, before the Convocation, it has been because they despaired of meeting existing evils effectually by Academical legislation. And indeed the suggestion, which at one time they thought it worth while to adopt in the way of experiment, was not approved by the Convocation.

3. *Debts and Credit, &c.*
 Recom. 8.
 Report, pp. 22-28.

Within the walls of the different societies, the expenses of the Students have been in general brought within as frugal limits as are consistent with prudence. For it is essential that the Students should not be tempted by an excess of strictness to evade the rules of the College, and seek without what they might reasonably expect to find provided for them within the walls. But "as to expenses without the walls of Colleges," to repeat the statement brought before your Board by a Committee of the Board in 1846, and adopted by the Commissioners, "they must depend for the most part upon the prudence and principle of the Students themselves, and upon the efficient cooperation of their parents with the endeavours of the College authorities. The subject has frequently engaged the serious attention of the authorities of the University. There are existing and effective regulations against expense; others have from time to time been devised and abandoned as ineffectual. If the Student will combine with the tradesman to evade the sumptuary laws of the University or the College, he will frequently succeed and escape detection; and additional impediments have been opposed of late to the University laws affecting

“ the tradesmen of the place by the rapidity of communication with the metropolis.”

We may refer to other parts of the same Report (printed by Her Majesty's Commissioners in their Appendix E, p. 56) for statements and observations respecting the actual expenses of the junior members of the University which are as applicable at the present time as they were in 1846.

But whilst we concur with the Commissioners in their belief that little can be done by direct Academical legislation in checking extravagance, or debt, or a ruinous system of credit, we agree also with them in the opinion that much good may be effected indirectly by the influence of the College authorities, and still more by their influence duly supported by the parents of the students. For the evil is not confined to the University, and in many or most cases it does not commence at the University, but at home, and at the public schools, and during residence under private tutors in the country.

The Head of one of the larger Colleges communicated to us the form of a letter which he is accustomed to send to the fathers of his undergraduates, with the view of drawing their particular attention to the subject and securing their cooperation. Efforts of this kind are the most likely to be effectual. And, happily, if the general habits of expense of the students without their College walls exceed what could be desired, very many students are always to be found who practise the strictest economy; and the glaring cases of excessive extravagance, which are sometimes brought before the public eye, are exceptional and rare.

Whether the Imperial Legislature would be willing to come to the aid of the University authorities by any enactments such as are suggested in the 8th Recom-

mendation, or could do so with advantage, your Committee are not competent to decide. They scarcely think that an Act could be sought for, affecting only undergraduates and not minors generally. But upon this subject they have endeavoured to obtain the opinion and advice of the University Counsel; whose engagements, however, are at present so numerous and urgent that they have hitherto prevented him from affording them any assistance.

Nor was it to be expected that much information should be afforded to them, upon the legal bearings of the question at least, in the Evidence of Members of Convocation. Mr. Rickards, a lawyer, considers, indeed, both this and the following Recommendation "judicious and equitable," but does not discuss either of them^s. Mr. Hussey thinks the 8th "very good: it recommends the only method by which any thing can be done effectually by Law or Statute to restrain undergraduates from running into debt. There are three parties concerned; the Undergraduate, the Tradesman, and the Parent or College Authority, who are here the same: of these the former two have a direct interest in keeping up the system of credit; and so long as this relation lasts, it will be fruitless for the third party to attempt to restrain credit by sumptuary or prohibitory laws; for the other two will unite to defeat all such regulations; as they have always done. The only effectual proceeding will be to make it the tradesman's interest not to give credit, by throwing the risk of the debt upon him. And nothing can be more equitable than the plan recommended, for it puts no restraint upon the sale of his goods, but only requires him to send in his bills regularly^t."

^s Evidence, p. 497.

^t *ibid.* p. 228.

Other writers have some short practical remarks to a similar purpose^u. Dr. Pusey among many just observations upon credit, its evils, and the sources of the mischief, observes, that “the value of the regulation proposed by the Commissioners really lies in its indirect effects; in that it would compel tradesmen to bring to the knowledge of the young men the extent of the debt which they are contracting, and would be a hindrance to the wrong concealment of pecuniary difficulties from the parent.” But, with Mr. Chapman, he “hopes more from increased habits of self-control, increase of principle, increased study, the example of a body of young men pursuing in earnest simplicity and with success the studies of this place, such as the new plan of Halls might produce, and an increased sense of the blessedness of self-denying love for Christ’s sake, than from any legislative enactments^x.” And Mr. Gordon’s opinion is not very dissimilar. He is “far from saying that something like the regulations proposed by the commissioners, if we had power to enforce them, might not prove of considerable value.” But he has “a bad opinion of sumptuary laws in general;” doubts “whether the legislature could be induced to grant the proposed powers;” and the only practical suggestions he can offer are—“that tutors should keep a careful eye on their pupils, that parents should be more strict in calling their sons to account, that as many articles as possible should be included in the college bills, and that tradesmen of all sorts canvassing for orders should be kept out of the walls.” Yet nothing of this kind, he is aware, will necessarily succeed. “His vitiis intra animum medendum est^y.”

^u Evidence, pp. 252, 458.

^x *ibid.* pp. 164—167.

^y *ibid.* p. 185.

4. It was still less to be expected that we should receive many detailed observations upon the 9th Re-commendation, respecting the Vice-Chancellor's Court. You will find, accordingly, only a few general remarks, approving it, in the printed Evidence^z. There was a new regulation made in 1850 with a view to the diminution of expense; but your Committee concur in the recommendations that the forms and proceedings of this Court should be assimilated, as far as may be practicable, to those of the County Courts; and that the Fees should also be regulated by those of the County Courts. They are also of opinion that the Court should be thrown open to all Professional persons, whether Advocates, Barristers or Attorneys, Solicitors or Proctors; (but not to any of these without the permission of the Vice-Chancellor;) and to any other person permitted by the Judge. They think also that the Judge should be a person versed in the Law, and that he should be obliged to hold periodical sittings at short intervals in Term-time.

Recom. 9.
Report, pp. 19,
20.

III. UNIVERSITY EXTENSION.

The subject of the *Extension of the University* has, obviously, a very close connexion with its Discipline. Individuals, indeed, might derive benefit from a residence in the University, with or without incorporation into Colleges, or even living by themselves under no rules or restraint whatsoever. But this would not be commonly the case; and the system of the University must have reference not to isolated instances, but to the average condition and wants of the students.

III.
UNIVERSITY
EXTENSION.
Recom. 10.
Report, pp. 29-
54.

In this connexion accordingly the subject of University Extension, which has of late years excited great

^z Evidence, pp. 185. 228. 252. 497.

Appendix E.
pp. 55-57.

interest among many members of Convocation, has been also repeatedly brought under the consideration of the Board of Heads of Houses and Proctors. The Report of a Committee on this subject in 1846, which was printed at the time, has been given at length by Her Majesty's Commissioners. But it has subsequently occupied the frequent attention of the Board; and a proposition for permitting the establishment of what are now denominated "Affiliated Halls," which was affirmed by the Board, would have been long since, probably, submitted to the judgment of the Convocation, had it not been for the intervention of this Commission and the inquiries to which it has given rise.

The whole subject has now been reexamined by your Committee with the advantage not only of the Commissioners' Report but of communications, both oral and written, from Mr. Melville and Mr. Marriott, and the conclusions formed by many resident members of Convocation, chiefly engaged in tuition, who have discussed the subject at considerable length, have published their observations upon it, and communicated them to the several Heads of Houses.

In the Evidence also printed by your Committee many detailed and valuable observations upon this subject will be found contributed by Dr. Pusey, Mr. Gordon, Professor Hussey, Mr. Muckleston, Mr. Meyrick, Mr. Marriott, the Senior Proctor, Mr. Chretien and others who have signed a joint communication, the Vice-Chancellor, Mr. Chapman, and Mr. Round, to which you will necessarily devote your attention.

*Amount of the
demand for
University Ex-
tension.*

Your Committee do not, indeed, pretend to determine the previous question to what extent the public desire at present, or are likely to desire, increased accommodation for students within the University. It may be, as Mr. Gordon conceives, that the probability of

such a demand “is very much exaggerated^a ;” or even, as is suggested by the Senior Proctor, that the supply is at the present moment greater than the demand ; that in fact the demand is to be created^b. There were from sixty to eighty sets of rooms unoccupied, it was believed, in 1846 ; and, the average number of matriculations being almost exactly the same, there are, probably, some unoccupied now. But since those who desire to study at Oxford cannot always be received within the Colleges which they would select, and hence abandon their intention, the fact that there are rooms unoccupied does not prove that even at present there are not other students who might under altered rules desire to be admitted ; whilst diminished expenses, or change of studies, might attract more. Mr. Gordon, though he has “no hope of the University “ever becoming a place of Professional education, or “of a large increase of our numbers consequent on any “extension of our studies, or change of our system,” yet adds, that “undoubtedly some increase is possible, “and may be expected^c.”

But whatever may be the fact as to the amount of the demand at present, or whatever the likelihood of a greatly increased demand for Education at the University, you will certainly *desire* that the advantages of Academical Education should be extended as far as possible ; and will recognise the duty and privilege of spreading them as widely as we may throughout the country. They might be afforded, possibly, to many more of the sons of the higher classes, whatever their future profession or destination. With increased aid and facilities many more of the poorer gentry and clergy, who are unable to sustain the usual expense of

^a Evidence, p. 197.

^b *ibid.* p. 334.

^c *ibid.* p. 199.

a University Education, might be able to afford it to their sons. And few will doubt what your Committee stated in 1846, that there is even “an urgent call for “many more than the University now sends forth to “meet the daily increasing demands for additional “labourers in the ministry of the Church of England “at home and abroad.”

The Evidence with which we have been favoured sometimes speaks very strongly on these points. “The “weakness of the Church in these later years,” writes the Professor of Hebrew, “has been, that it has not “known how to employ the talents of the middle “ranks. What was not employed by her, has been “often, in ignorance, employed against her.” “There “is much need of every exertion to extend the old Uni- “versities. They have means for sound education and “a traditional feeling which no new institution can “possess. If the Church is ever to win back the great “masses of our towns from Heathenism, her Clergy “must be increased by thousands. No other place has “the same power or resources for education, if they “were called into activity^d.” Mr Hussey says, “The “object in view, namely, *the extension of the University*, “is so important in itself both to the University and “the Nation, it is so earnestly wished for and so “eagerly pressed by numerous and influential persons, “that it is not too much to say, it is now absolutely “necessary. It is indeed due from the University in “simple justice.” There are other passages expressing or implying similar sentiments^e.

Turning then to the various schemes recommended with a view to the Extension of the University, we may speak of them under four heads,—(1) Students living in

^d Evidence, pp. 81. 85, &c.
 pare pp. 269, 305, 343.

^e *ibid.* p. 233.

Lodgings, unconnected with any College or Hall, often called "Unattached" or "University" Students.—(2) Affiliated Halls,—(3) Independent Halls; and (4) what have been called "Private Halls."

1. To that part of the Commissioners' 10th Recommendation, which would have "the provision of the Statutes, by which all Members are obliged to belong to some College or Hall, annulled," and would permit "Members of the University, under due superintendence, to live in private lodgings without connexion with a College or Hall," we entertain strong objections.

Plans for extending the University.
1. System of University or Unattached Students.

That some few *individuals* might possibly be benefited by such a permission has been admitted already; but the system recommended we by no means think advisable; on the contrary we rather apprehend that under such a system Academical discipline would be lost, morality would be grievously deteriorated, more expensive habits would be introduced rather than economical, that indeed even the necessary expenses of residence at Oxford must be in the more common cases actually increased, that in fine the Recommendation would reintroduce many of those serious evils which were formerly experienced at the University, and for which Colleges were found to be the appropriate remedy, and would be perilous to Religion itself.

In support of these positions it may suffice to refer to many parts of the accompanying Evidence. And the Report of the Tutors, No. I, commences with the statement (adopted by almost all the members of the Association) "that it is in no way desirable to permit Members of the University to live in *private lodgings*, "without connexion with a College or Hall,"—and that they refrain from entering upon a full discussion of the

point "mainly because the subject has long occupied the attention of the University, and the almost unanimous opinion expressed upon it seems to have decided justly against a system which violates a main principle of our Education." (pp. 5, 6, 7.)

But some of those who have favoured the Committee with their Evidence, have entered deeply into the subject in passages too long to be extracted, but well worthy the attention of the University.

In the joint communication, indeed, already referred to, five of those who subscribe it "express their acceptance of the Commissioners' Recommendations" (on the subject of University Extension) "without qualification or indefinite postponement," whilst the other six subscribers, as it would appear, look forward ultimately to the realization of all the Commissioners' views on this subject, but "are of opinion that the immediate extension of the University will be best effected by the adoption of those means which shall give wider range and more efficient cultivation to the studies, freer reward through open Scholarships and Fellowships to industry and merit, and greater efficiency to the Colleges by the improvement of their educating members, and the reasonable reduction of their expenses^f."

But this is not in accordance with the usual tenor of the Communications which we have received. Mr. Hussey carefully compares this part of the Commissioners' Recommendation with other propositions advanced in their Report, their condemnation of Subscription to the 39 Articles, their idea of transferring the present general Examination in the rudiments of Religion from the final to the intermediate Examination, and their proposal that Graduates should retain

^f Evidence, pp. 343, 344.

their University franchise though they do not retain their connexion with a College; and he shews how “the effect of the scheme recommended by the Commissioners, if executed throughout, would be (what ever might have been intended) to separate the University, as a place of education, from the Church of England; and therefore, by necessary consequence, from the profession of the Christian Faith.” To consent to it, accordingly, he contends, “would be on the part of the University an abandonment of Christian duty—a breach of trust towards all our Founders—a violation of the spirit of our Statutes—and a breach of confidence towards the nation in general^g.”

Dr. Pusey goes into the subject at greater length, points out the mistakes involved in the Commissioners’ inquiry and in their data, shews the tendency of their scheme to assimilate our Universities to the Continental, and argues against it as bad even in point of economy, and still more as perilous to morals and to Religion^h.

Mr. Melville in his oral communications to the Committee spoke against this part of the Recommendation; and it will be seen in the printed Evidence that Mr. Gordon, Mr. Muckleston, and Mr. Meyrick, the Vice-Chancellor, Mr. Chapman, and, by implication, Mr. Round, are all opposed to it, and base their objections upon very strong grounds, Academical, economical, moral, and religiousⁱ. But we must be content to refer to their reasoning against it, and their conclusive replies to the arguments of the Commissioners in its favour; and will only add here that Her Majesty’s Commissioners for inquiring into the state of the Uni-

^g Evidence, pp. 228—233.

^h *ibid*, pp. 64—78.

ⁱ *ibid*. pp. 185—188. 252, 253. 259—269. 384, 385. 450, 451. 472—489.

versity of Cambridge have not recommended the introduction of "University or Unattached Students."

2 *liated
houses; and
buildings
annexed to
Colleges.*

2. In the succeeding clause, meanwhile, of the 10th Recommendation, viz. "that the provision of the Statutes, by which Colleges and Halls are obliged to have "all their rooms accessible through one common "gate, should be annulled," we have the satisfaction of concurring.

We recommend accordingly that this part of the Statute, Tit. III. §. 1, be repealed and amended; and that undergraduates be permitted to reside in any house in Oxford, annexed to their Colleges or Halls respectively, although the access to such houses be not by the common gate; provided,

(1.) That any such house be exclusively appropriated to the reception of members of such College or Hall;

(2.) That it be under the charge and superintendence of a Master of Arts (at least) constantly resident therein, to be annually appointed by the Head of the College or Hall to which it is annexed, and approved by the Vice-Chancellor and Proctors;

(3.) That it be annually certified by the Vice-Chancellor to be suitable to its purpose with regard to security and to the preservation of discipline; and

(4.) That it be further subject to any general regulations, which may from time to time hereafter be provided by the University for the good government of such houses.

This recommendation will coincide with that of the Tutors, described and advocated in their Report No. I. (pp. 26—32) which though they think it "far from "adequately meeting the wants of the University," "nevertheless combines a number of important advantages" which they proceed to consider in detail,

and which are “chiefly (i) the facility of such an alteration, and the certainty that it would be immediately acted upon; (ii) the small risk and slight outlay at which the experiment could be tried; (iii) the elasticity of the system; and (iv) the variety and power of adaptation to circumstances of which it admits.” They contend also that it would be a *real* extension of the University, and not merely a change in the distribution of the existing students.

It is further to be observed that by connexion with a College we do not mean, of necessity, *local annexation*; and that the amendment of the Statute which we recommend will therefore provide for the erection of what are called “Affiliated Halls,” that is to say, according to the definition adopted in the Tutors’ Report, of any Hall “built by a College with which it is connected, and where the College contributes from its funds to defray a part of the expenses of the education; an institution not self-supporting, but assisted, more or less, by its parent society.”

We are also of opinion, that, subject of course to the conditions already mentioned, the students who reside in such Affiliated Halls may be permitted to dine either in the Colleges to which the Halls are annexed; or in the Affiliated Halls themselves; and that they may be in any other ways placed under a peculiar discipline or not, at the discretion of their respective Colleges.

The plan of “Affiliated Halls” does not find much favour with the Commissioners, who “conceive that, even if realised to the fullest practical extent, it would of itself be inadequate to the requirements of the case.” They would, however, “have every impediment to its trial removed, and free scope left to the benevolence of Colleges or individuals who might be willing to undertake it..” The Tutors “think it Report, p. 40.

“ would be one of the most practicable plans for acting
 “ in accordance with the spirit of their foundation, if
 “ some of those Colleges which have the means were
 “ to establish, and in part support such Halls;” and
 they enter at some length into the support of this position. (Report No. 1. pp. 10—14.)

We find similar sentiments in the Evidence which we have received. Mr. Gordon, who is less sanguine than many others on the subject of University Extension, yet advocates this scheme, at least for the poorer men, as indeed he had advocated it before in a separate Pamphlet “ Considerations,” &c. and he considers many of the details of the subject^k. Mr. Hussey is in favour of the same plan. Mr. Meyrick regards the plan of Affiliated Halls as “ at once the “ most feasible and the best” of the four schemes recommended in the Tutors’ Report. The Vice-Chancellor; and Mr. Chapman also speak of this as the best plan. Mr. Round indeed thinks that if the numbers pressing “ for admission should be greater than could be received into the existing Colleges and Halls, the only “ wise course for extending the advantages of the University to an increased number of students will be to “ add to the buildings of the smaller Colleges.” But he may not have taken this plan particularly into his consideration^l.

The plan is among those so far approved in the Paper communicated to us by Mr. Chretien, Mr. Congreve and others, as to be thought deserving of adoption together with the other plans of the Commissioners either immediately or ultimately. And Dr. Pusey considers that “ the plan of ‘ Affiliated Halls,’

^k Evidence, pp. 189—194. See also pp. 233, 234. 269. 343, 344. 385, 386. 452.

^l *ibid.* pp. 488, 489.

“recommended in the Cambridge Report, unites the
“greatest advantages, and might be a benefit to the
“Colleges themselves;” and he illustrates this observation in detail, pointing out the advantages of the plan, and replying to the objections against it, with especial reference to the prejudices entertained against the reception of “poor students,” and to the fear of encouraging party-spirit which has often influenced the Commissioners^m.

Amidst so great a concurrence of opinions it is unnecessary to pursue the subject further. But your Committee, after considering the question, are not of opinion that it would be desirable that the *University* should make any grants towards the foundation or the support of Affiliated Halls to be met by advances on the part of those Colleges to which any such Halls may be annexed.

3. With regard to Independent Halls, on the other^{3. Independent Halls.} hand, your Committee are not only of opinion that it is desirable that, *under peculiar and stringent regulations for diminishing the expenses of the Students*, there should be established in Oxford one or more “Independent Halls,” (whether newly erected or of the number of the existing Halls,) but further a majority of the Committee recommend that, under certain conditions to be stated presently, the University should make a grant of money, not exceeding 10,000*l.*, towards the erection of an Independent Hall or Halls.

We do not find so much harmony of sentiment upon this subject as with respect to “Affiliated Halls.” The Commissioners, whilst “to this, as to all the other
“modes suggested for effecting the important object
“in view, they would have every facility given, are

^m Evidence, pp. 78—84.

“compelled to express their opinion that it will not “prove of itself adequate to the wants which are to “be supplied.” They point out the practical difficulties opposed to the plan; the danger of party-spirit attaching to it; the evils of the system of rigid discipline that would be necessary, with the great probability of its being relaxed; and express “much doubt whether its adoption will be found to offer any guarantee “for the permanent reduction of the cost of a University education.” Still they conclude, “if there be “any who are anxious to give it a trial, it would be “well that they should have free scope to do so.” The Tutors, on the contrary, anticipate the success of such a plan with much confidence, and wish not only that individuals should be encouraged to found an Independent Hall, but that the University should advance sufficient money (20,000*l.*) to build, and to establish an Independent Hall upon principles which they specify, (Report, N^o 1. pp. 14—21.) In the Evidence presented to us there is some conflict of opinions. The oral evidence of Mr. Marriott and of Mr. Melville, late Principal of Bishop Hatfield’s Hall, Durham, (where the experiment has been tried, and has been successful,) was in favour of the plan. Dr. Pusey would have the University make the trial, although he contends that “Independent Halls” have “not the same advantages as Halls in connexion with the Colleges.” Mr. Gordon is not “in favour of Independent Halls, “while we have facilities for doing better.” He considers “that they would be more expensive to establish, “and less respectable when established;” and he would “resist any application of University funds to such a “purpose either in the way of loan or gift.” Mr. Hussey stating, that “the University might be increased “either by founding new Colleges or Halls, or by

“establishing licensed lodging houses for additional “members of those now existing,” speaks of the latter as much the more easy plan, but says, “It is much to “be wished that both these methods could be carried “into execution: or either of them, if both could not.” Mr. Meyrick, though he prefers “Affiliated Halls,” wishes this also amongst the four schemes suggested by the Tutors to be adoptedⁿ.

The Board will examine and consider these opinions, together with the recommendation of the majority of the Committee, as above stated, which is also submitted, not absolutely, but under the following conditions; viz.

(1) That the constitution of the Independent Hall or Halls, towards the erection or maintenance of which the University should contribute a grant not exceeding 10,000*l.*, should be approved by the University.

(2) That such grant in the case of the erection of a *new* Independent Hall should be first met by a sum raised by voluntary contributions sufficient, in conjunction with the grant, for the purchase of a site and the erection of buildings adequate to the reception of sixty poor students.

(3) That the University should not be occupied, as a body, with soliciting such contributions.

But (4) that it should be the province of the University, as such, to determine the constitution and details of the new Institution.

Further, with regard to the leading provisions for such an institution, the Committee recommend, (1) that the Buildings should be so constructed as to provide a single room for each separate Student, and a Common room or Library for the body; a suite of rooms for the Principal, and accommodation for resident Tutors; a Chapel; Dining Hall; and offices. And that, as an

ⁿ Evidence, pp. 84—86. 195. 234. 269.

essential condition, all meals should be taken in common; the Establishment finding all necessary provisions, and forbidding the introduction of non-necessaries.

(2.) That the Principal should be appointed by the Chancellor: all other appointments to be made by the Principal. That the Principal and Tutors should be resident within the building; that the Principal should himself take part in the Tuition; and that he himself, or at least one of the Tutors, should, as a general rule, take their meals with the Students.

(3.) That the Principal should be allowed, with his Headship, to retain a Fellowship at a College.

(4.) That (according to the judgment of a majority of the Committee) the Principal should not be allowed to marry.

(5.) The Committee agree in recommending that the Head of such a Hall should be a member of the Hebdomadal Board.

The oral Evidence of Mr. Marriott and Mr. Melville went still further into detail respecting the rules and manner of life in an Independent Hall, the rate of living (which in a Hall for sixty persons Mr. Melville calculates at 60% for each student, whilst he estimates the whole annual expenditure of such a student at 90%); the nature and cost of the establishment, the cost of the building (which for sixty students Mr. Melville estimated at 20,000%), and the appointment of a Head of the Hall. In the event of the Board or the University entering minutely into the question, the notes of this Evidence may be referred to. Mr. Marriott considered the present mode of appointment of the Head of a Hall by the Chancellor objectionable in the case of a *new* Hall of this description, (and in this case alone,) and likely to be an impediment in the way of

persons desirous to erect Independent Halls. Both his and Mr. Melville's Evidence went to the probability of a demand, and a progressive demand, for admission into such Halls; Mr. Melville referring more particularly to the history of Hatfield Hall and the subsequent erection of Bishop Cosin's Hall at Durham.

4. The Committee have also considered a fourth plan which has been recommended by some members of Convocation for the Extension of the University; the plan, namely, of "Private Halls," as they have been termed, that is to say, Licensed Houses, to be superintended by Masters of Arts, for the reception of Students, who should be members of the University without being connected with any College or Hall, whether such as exist at present, or such as have been treated of already under the titles of "Affiliated" and "Independent Halls."

This is partly comprehended within the fourth proposal of the Commissioners under the head of "Plan for Lodgings under due superintendence unconnected with Colleges," where they suggest that University Students might live with Private Tutors or Professors. But the Commissioners have exceptional cases principally in view, and with relation to students of rank, and of more than average fortune. For exceptional cases there is some provision made already. Possibly there might be more. Thus the Vice-Chancellor suggests that members of Colleges might have permission to live under the roof of a Master of Arts "approved by the Head of the College and the Vice-Chancellor, as dispensations are now granted in various cases to undergraduates to keep their Terms living out of Colleges P." But his suggestion refers to special

^{4.} "Private Halls."

Report, pp. 44-46.

cases, and is restricted to persons admitted members of some College or Hall. Whereas the plan in question is not, or is not always, so restricted, and it has reference to a system, and a system of considerable extent in the contemplation of some of its leading advocates. It is thus that it is advocated by the Tutors (Report, No. 1. pp. 21—26) as a plan calculated to meet the wants of various classes of students, poor as well as rich. They contemplate the possibility of Masters of Arts, “possessed of private means, undertaking, as a work of charity, the education of a small number of extremely poor men, making little or absolutely no profit from them.” (p. 20.) They dwell upon the benefits which the scheme may confer not only upon the students, but also upon the University, by its retaining distinguished men at Oxford, who now leave it to find employment elsewhere. And, in considering some of the obvious inconveniences of such a system, they hint at the possibility of various Private Halls being combined for the purposes of instruction. This idea is expanded by Mr. Marriott in his printed Evidence with reference to the government of such Halls, who thinks, “That if any considerable number of private Halls or Hospices is established, an officer will be required to exercise some control over them under the Vice-Chancellor—who will be unable to pay the necessary attention to the returns required to be made of the conduct and studies of the scholars resident in such houses—indeed that they ought to be aggregated into one institution to be called ‘Aula Universitatis,’ of which this officer should be the Head.” He had touched upon the same point in his oral evidence; and his suggestion is approved by Mr. Meyrick^a.

^a Evidence, pp. 306. 269.

It is thus a considerable system, which some of the advocates of this scheme have in view. But it is not approved by all who have considered it. Mr. Muckleston thinks "The opening of Halls under individual Masters of Arts less objectionable" (than the scheme of the Commissioners); but that "even this plan affords no good guarantee for the maintenance of discipline. These Halls would be opened by men of every variety of character; competition for students would arise; and endeavours would be made to allure the gay and thoughtless by holding out to them an immunity from order and discipline". Mr. Gordon "cannot approve of a general development of Lodging Houses under Masters of Arts, and with the name of Halls, however 'kindly' the discipline and 'amiable' the society." As to the conceivable work of charity, above supposed, he would "be disposed to make a special exception in favour of such a case when it arose, without laying down any general rule of action in the matter." But he does "not think very highly of this mode of extension". Dr. Pusey considers that the "plan of allowing Masters of Arts, with license from some authority, to open Halls would, unless those Halls were connected with Colleges, only introduce into the University the system of private Tutors, apart from the Collegiate system. It would be more expensive to the members of such Halls than any other plan;" as to instruction, they would, he fears, "be on a lower level."

He takes occasion also, it may be added, to notice the suggestion of the Commissioners above referred to "of allowing young men to become members of the University residing under the care of a Private Tutor, or in a Professor's house, but receiving no Collegiate

^r Evidence, pp. 253, 254.

^s Ibid. pp. 196, 197.

“instruction, nor being in any way connected with any “College or Hall.” Both these plans, he remarks, “were “tried very extensively and systematically throughout “the German Universities; and both were abandoned “even there because they failed.” And he proceeds to shew that the advantages expected from them may be had now, whilst their disadvantages would be greater here than in Germany^t.

The importance of the suggestion required this lengthened notice of the system of “Private Halls.” But your Committee having considered the plan were agreed that they could not recommend it for adoption. And they trust that the other plans which they have recommended will sufficiently provide for the great object in view; whilst as to any suggestions for extending the University, at least in name, by curtailing its real advantages, diminishing residence, and making instruction popular and superficial, such suggestions will scarcely obtain the countenance of those who have at heart the cause of sound learning and religious education.

IV. REVENUES.

IV. REVENUES.
Report, pp. 125—
128.

As we have had occasion in the preceding Section to recommend a grant from the University, and we are about to suggest others, and Members of Convocation have often complained that they are invited to grant sums of money for various purposes without sufficient knowledge of the means possessed by the University, it may not be out of place to advert at once to the 26th, 27th, 28th, and 29th Recommendations of the Commissioners, touching the University *Revenues*, their sources and application.

^t Evidence, pp. 85—89.

1. With respect to the *publication of the University accounts* your Committee coincide to a considerable extent, although not altogether, with the recommendation of Her Majesty's Commissioners. The accounts of the Bodley Library, and the Police account, it should be observed, are now annually published. We think it desirable that a Balance sheet of the General University accounts, and also of the Minor and Trust accounts, should be annually provided for the use of Members of Convocation, but that it should not be printed.

This opinion implies no distrust whatsoever on our part of the Delegates to whom these accounts have been committed by the University, and for whose services we are most grateful. We believe also that other Members of Convocation, who have complained of their want of acquaintance with the resources of the University, repose entire confidence in the Delegates; but they naturally desire some greater facility in ascertaining the resources of the University when they are called upon for contributions to public purposes; and we are of opinion that this desire should be satisfied, so far as may be practicable without imprudence or serious inconvenience.

The Account books themselves, however, we think should not be made accessible to Members of Convocation in general. And we apprehend that the proceedings of the Delegates of the Press could not without injury be annually published.

2. Into the subject of *a revision of Fees* we need not enter here, since it has been already referred to a Special Committee, as a matter which might receive immediate attention without any necessary connexion with other Recommendations.

3. *Application
of Revenues.
Recom. 28.*

3. The committee consider it unnecessary that any rule should be laid down restricting the *application* of "*the funds* at the disposal of the University to *University purposes only*, due regard being paid to the "local claims of property belonging to the University." There may be different opinions as to the connexion of various purposes, directly or indirectly with the University. And they think the Convocation a sufficient judge, as the occasions may arise, of the proper way of disposing of its funds.

4. *Stamp Du-
ties, and
Statute of
Mortmain.
Recom. 29.*

4. The Board is already aware that the Committee concur in the 29th Recommendation; "That the "*Stamp Duties* levied on Matriculations, on Degrees, "and on Certificates of Degrees should be remitted; "and that the *Statute of Mortmain* should be relaxed so "far as to allow the University to invest its funded "property in land." These are questions, of course, for the consideration of Her Majesty's Government; and, at the recommendation of the Committee, you took steps in the Michaelmas Term 1852 with the view of praying the Crown to grant its Royal license to the University to hold lands in Mortmain to a definite extent. The very large powers to this effect lately granted to the University of London and to the College at Birmingham, seemed to justify such an application. Steps have again been taken more recently with a view both to the remission of the Stamp Duties, and to the relaxation of the Statute of Mortmain, and full information has been afforded to the Chancellor of the Exchequer, at his desire, respecting the Stamp Duties, their history and average amount; and also those of the payments made by the Crown to the University, (that is to say, to certain Professors and Readers), amounting to about 953*l.* per annum, whilst

the average annual amount of the Stamp Duties is about 2300%.

Few of those who have favoured the Committee with Evidence have discussed the subjects of the present Section. They have been slightly touched upon, and the Recommendations of the Commissioners cordially approved by Mr. Gordon, except that, as to the 28th Recommendation, he would "be sorry to see the University prevented from contributing to any object with which it has a natural sympathy." And he observes that "in consideration of the remission of stamp duties on Matriculations and Degrees, it would be wise for the University to resign whatever it receives from the annual vote of Parliament." Mr. Hussey approves of Recommendations 27, 28, and 29, but remarks that "making *grants* of University money is perhaps but a spurious kind of charity." Mr. Muckleston thinks the Recommendations good "with the exception of the 28th which would deprive the University of the power of making charitable donations." There appears to be no good reason why the power should not remain with the members of Convocation, who may exercise it or not at any time according to their discretion.

V. MUSEUM AND LIBRARIES.

1. It appears to be generally agreed that the University ought to employ what Funds it can command, and which are not wanted for purposes of still greater utility, in "building a great *Museum* for all departments of Physical Science, with proper Lecture-rooms, Laboratories, and apparatus for Lectures." That a proposed grant of 30,000% for this purpose was not

V.
MUSEUM AND
LIBRARIES.
1. *Proposed*
Museum.
Recom. 25. Report, pp. 122-124.

approved by the Convocation in 1851, as the Commissioners mention, did not indicate, it is believed, indisposition to the design in itself, but rather a doubt whether the money, or some part of it, might not be more usefully employed at the present time in forwarding University Extension. Thus whilst one Member of Convocation in the printed Evidence before us thinks "that the University should proceed with all expedition in carrying out the design for a new Museum," another writes, "A great Museum would be an undertaking worthy of the University. But it is not our greatest want at present. If it were built now, we have not students to use it. Our first and greatest want is, *accommodation for more members*.*" The two objects are far from incompatible, and both may be ultimately attained. Meanwhile the University is proceeding with the plan of a Museum as the Commissioners recommend. A site, which was a question beset with objections, has been approved; and a plan has been drawn out by a Delegacy appointed for the purpose, which, although it was not approved of by the Convocation, will afford useful suggestions for another upon, perhaps, a somewhat smaller scale.

Collections.

Your Committee, therefore, need not pursue the general subject further. But with respect to the subsequent suggestions in the 25th Recommendation they would add, that it does not appear that there are any other Collections which can be at once transferred to the New Museum, besides the Ashmole Collection, the Geological and Mineralogical Collections, Mr. Hope's Entomological Collection, and one lately commenced in Osteology which is at present deposited in the Taylor Building. And all these it is proposed to remove to the New Museum. The Collection in the charge of

* Evidence, pp. 216. 237.

Dr. Lee's Lecturer in Anatomy is under the control not of the University, but of the Dean and Canons of Christ Church. Whether the Collection of Models and Instruments purchased with money bequeathed for this purpose by Lord Leigh, and now in the charge of the Reader in Experimental Philosophy, should or should not be also transferred to the proposed Museum, may require further consideration.

The Committee, although they think it desirable that some of the Professors of Physical Science should be Curators of the New Museum, are not of opinion that the Curators should be exclusively such Professors.

2. So likewise with respect to the *Bodleian Library*,^{2. Libraries. Recom. 22. Report, pp. 115—122.} the Committee are not of opinion that it should be placed exclusively "under the management of the Professors." The present Curators consist of five of the Professors together with the Vice-Chancellor and Proctors; and we think that this body need be neither increased nor changed. The Register of Books wanted, always kept in the Library, enables all members of the University, Professors and others, to suggest the names of books desired; and the Funds of the Library are sufficient for the purchase of all that are usually recommended.

The Committee think that the opportunity at present allowed for lending books in *special cases*, by permission of Convocation, is sufficient to meet extreme cases; and that it is unnecessary to give power to the Curators to lend books from the Library. But they think that a Reading-room would be desirable, if a proper room can be provided for the purpose.

They do not conceive that there need be any change as to the time of the Visitation of the Library. But

they concur with the Commissioners in thinking that the hours for reading should be extended ; and they beg to recommend the following scheme suggested to them by the Librarian : viz. That the Library should be opened uniformly at 10 A. M. (as very few persons are found to visit the Library before that hour.) And ;

That from the 1st of November to the 31st of March it should be closed at 3 P. M., as at present.

That in the months of April and October it should close at 4 P. M. And that during the five summer months of May, June, July, August, and September, it should remain open until 5 o'clock.

Recom. 23.

They are further of opinion that arrangements might be made with advantage for transferring books in the department of Physical Science from the Bodleian to the *Radcliffe Library* ; and for receiving in return the Radcliffe collections in other departments.

The University has no power to place the Radcliffe Library under the Professors of Physical Science.

It appears that there is a small collection of books connected with Art at present in the "University Gallery," which may probably be increased ; but that there is no sufficient space in that Gallery for any large collection of books in Archæology and Art.

Recom. 24.

It would be desirable, that the Colleges, and those who have the charge of other public Libraries in Oxford, should indicate and report to the Curators of the Bodleian Library the names of such Books as exist in their collections and are not in the Bodleian, with a view to the formation of such a *Supplementary Catalogue* as the Commissioners recommend.

Evidence.

Upon some of the subjects of the three preceding

Recommendations there are separate observations in the printed Evidence. Mr. Gordon would have the management of the Libraries placed “in the hands of “a Committee of the most competent persons—though “not necessarily consisting of Professors exclusively, “nor in their official capacity^z.” Mr. Hussey thinks the Professors “might make a good Council to advise, “and act under, the Curators and the Librarian.” He observes that “no one accustomed to read in the “Bodleian Library would willingly exchange it for a “Reading-room;” but thinks it would be advantageous if books could be taken from the Library to a room in the neighbourhood, (possibly in the Radcliffe Library or in the Clarendon Building,) and *to this room only*, “which might be kept open in the evenings^a.” Mr. Marriott’s observations are very much to the same effect. *Duplicates* “understood strictly,” he thinks, might be lent; but he states “that the present arrangements of the Bodleian are of very great value “to editors, who have not the same facility of *reference* “in any other Library in the world^b.” Dr. Pusey goes at greater length into the subject; argues from experience and facts in favour of the advantage and even necessity of the present restrictions; gives several reasons in detail against the suggested transfer of books on Physical science from the Bodleian Library to the Radcliffe; and adds that the value of the Public and even the College Libraries “to the Undergraduate is “very much overrated.” A small Library specially formed for Undergraduates would, he thinks, be the most useful plan for them^c.

And we need scarcely again notice, because you will necessarily consult, the observations of the Librarian

^z Evidence, p. 216.

^a *ibid.* p. 236.

^b *ibid.* pp. 308, 309.

^c *ibid.* pp. 170—172.

himself^d (upon which the recommendations of your Committee have been principally founded,) respecting, I, "Management by Professors,"—"from which all "the evils which so press upon the Cambridge Library "would be entailed upon the Bodleian." II, "Increased Facility for Reading;" under which head he suggests two plans for a Reading-room. III, "Internal "Arrangement."

His scheme of the Hours of access to the Library has been recommended above; but he suggests a modification of it in the event of a Reading-room being allowed; and adds a proposal for an increased staff, if the suggested arrangements should be carried into effect. He appends a Tabular Statement, drawn up by Mr. Coxe, respecting six principal Foreign Libraries; "which will shew how much greater facilities *in every* "*way* are afforded to students in the Bodleian than in "any other great Library on the Continent."

VI. PROFESSORS AND TEACHERS.

VI. PROFESSORS and TEACHERS.

With many of the Commissioners' Recommendations on the extensive subject of Professorial teaching, and the appointment of Professors and Lecturers we have been unable to coincide. But the subject is not new to the University. It underwent some consideration as a whole in 1839, when the Statutes Titles IV. and V. were brought before the Convocation; and portions of the subject have been frequently discussed, and will be so, no doubt, again, as often as new subjects of interest, or an increased number of hearers, call for new or additional Teachers.

1. *Number of Professors and Readers lately established, and now existing.* Recom. 14. Report, pp. 89—110.

1. Within a comparatively recent period, accordingly, there have been several new Professorships or Read-

^d Evidence, pp. 325—329.

erships established, or additional grants made to old appointments, by the munificence of the Crown, or of Individuals, or by the University itself. Five grants of 100*l.* each per annum we owe to George III, and George IV, between 1793 and 1818, made to the Professors of Botany and Chemistry, and the Readers in Experimental Philosophy, Mineralogy, and Geology. And when the Crown annexed in reversion two Canonries of Christ Church to the new Professorships of Pastoral Theology and Ecclesiastical History, the University supplied some endowment for them in the interim. Dean Ireland followed with the new Foundation of his Professorship of the Exegesis of Holy Scripture. The Aldrichian Professorships of Medicine, Anatomy, and Chemistry, had been established in 1803; and Mr. Drummond's Professorship of Political Economy in 1825. Colonel Boden, in 1830, had founded and munificently endowed his Sanscrit Professorship. The Professorship of Moral Philosophy was revived in 1829; the Readership in Logic established by the University in 1839; the Professorship of Modern European Languages on the Taylor Foundation in 1848. And when your Committee was appointed it was not required to consider whether a Professorship of the Latin Language was desirable, because a proposition to that effect was already before the Board. A Statute for the establishment of a Latin Professorship was, indeed, announced to the Convocation in the last Act Term, and was only withdrawn in consequence of a munificent offer of a contribution from Corpus Christi College towards the same purpose, which is now under consideration.

Convocation has also lately enlarged the provision for teaching Common Law by its alteration of the Vinerian Statute; and has sanctioned the appointment

of an Assistant to the Professor of Chemistry. And within the last two years, it may be added, the University has augmented several of the existing offices which were inadequately endowed. But not to speak of augmentations of Professorships, we have thus a considerable number of new Institutions of this kind actually established within the last sixty years.

We have no need, therefore, to refer to remote periods for instances of munificence, or to distrust the vigilant attention of the University, and of the patrons of learning and science, to the requirements of their own age. Nor was it our duty to picture to ourselves the ideal of a University with an imposing array of Professors and Lecturers in every department of human learning; but rather to consider how many we actually have, and whether at the present time we really need more; not doubting that more and different Teachers will be from time to time provided as occasion may require.

In THEOLOGY, then, we have five Professors, besides the Professor of Hebrew; that is to say, The Regius and the Lady Margaret's Professors of Divinity, The Professors of Pastoral Theology, of Ecclesiastical History and the study of the Fathers, and of the Exegesis of Holy Scripture; and we are of opinion with the Commissioners, that there is no need at present of any change in the number of the Professors of Divinity.

Nor is there any need of change, we think, at present, as to the Professorships of LAW; since we have the Regius, and Vinerian Professorships of Civil and of Common Law; and the recent changes in the Viner Statute, as has been stated above, will provide for additional instruction in the Common Law.

In MEDICINE, again, there are the Regius and Aldrichian Professorships in Medicine, Anatomy, the

practice of Medicine and Physiology; with Tomlins' Prælectorship of Anatomy annexed to the office of the Regius Professor; and Lord Lichfield's Clinical Professorship. Practically also the University enjoys the benefit of Dr. Lee's Lecture in Anatomy, although it is founded in Christ Church; and the Certificates of these Lectures, (of which the Commissioners appear not to have been aware,) have been formally acknowledged by the University. And these Professorships appear to be at present sufficient.

We considered indeed with respect to the PHYSICAL SCIENCES, whether a new Professorship of *Physiology* was required, but thought that it was not. Nor did we think a Professorship of *Ethnology* needed. But with respect to *Zoology* it deserves consideration, whether some addition might not be made to the office of the Keeper of the Ashmole Museum; the University perhaps abandoning the addition to his salary made under the will of Dr. Rawlinson and clogged with needless restrictions.

We propose no change with respect to the Professorships of Botany and that of Rural Economy attached to the Sherardian Professorship. Dr. Gerard's Professor, indeed, is not appointed by the University.

Nor with respect to the Professorship of Chemistry do we recommend any change. But we inquired particularly into the need there was for an Assistant to the Professor for the purpose of teaching "*Practical Chemistry*" to Pupils in the Laboratory,—a department of teaching which had scarcely become systematic until within the last fifteen years, but which is now considered essential to any one who would study Chemistry with a view to examination for honours.—And at the suggestion of the Professor, and with the aid of valuable information procured for the Committee by

Mr. Maskelyne, we recommended the temporary measure for this purpose, which has since received the sanction of the Board and the Convocation^e.

We propose no change with respect to the two Readerships in Mineralogy and Geology; nor in that of Experimental Philosophy; no changes, that is to say, in addition to those lately sanctioned by the University in these and other instances, with respect to fees, additional allowances, residence, and number of Lectures.

With respect to the MATHEMATICS it has been suggested that the two Savilian Professorships of *Geometry* and *Astronomy* should be consolidated. We considered the question, but do not think it advisable. The stipend of the Sedleian Professor of *Natural Philosophy* we think it desirable to augment; upon condition that the Professor shall reside in the University, and teach the higher branches of applied, as well as pure Mathematics, *mathematically*; which is very nearly, if not exactly, the recommendation of the Commissioners.

Proceeding to Professorships of LANGUAGES, (but not adverting in this place to restrictions on the appointments of Professors,) we have no recommendations to offer with respect to the Professorship of Hebrew, which was mentioned before, nor concerning those of Greek, of Latin, of Anglo-Saxon, and of the Modern European Languages. But it seemed to the Committee unnecessary that there should be *Teachers of Modern Languages* under the Professor of Modern History;

^e In the Professor's communication to the Committee upon this subject he also touched upon another point which has yet to be considered, the proper situation, namely, for a Laboratory; and he suggested that, although a Laboratory for the purpose of instruction ought to be contiguous to the Chemical Lecture room, it need not be actually attached to it, or to the intended Museum, but might with advantage be kept distinct from the other buildings on grounds of economy, and security, and convenience.

since there are Teachers for the same purposes, and better remunerated, upon the Taylor Foundation.

In their opinion also, as in that of the Commissioners, it would be better, if it were practicable, that the *Laudian* and the *Lord Almoner's Arabic Professorships* should be combined. And, possibly, it might be so arranged, the Electors to the two Professorships agreeing to appoint alternately. And we beg to recommend that application be made to the Court of Chancery for more stringent regulations for the *Boden Professorship*, especially with reference to the *residence* of the Professor. It may be suggested also as desirable with a view to the same great purposes which the Founder of the Sanscrit Professorship had in view, and considering the many millions of Heathens in the East, with whose languages and ideas European teachers ought to become acquainted, that there should be Professorships of some of the *Modern Eastern Languages*, particularly Chinese.

With respect to the few remaining Professorships, we do not at present desire to recommend any alteration in those of Political Economy, and of Moral Philosophy, except as to the tenure of the office, which will be noticed below. And we see no reason to recommend any change in regard to the Professorship of Music. But in consideration of the *Professor of Poetry* receiving some augmentation of his stipend, the Committee are of opinion that he should be required to deliver a course of Lectures in English annually in the Easter Term. They think it also desirable that the stipend of the *Professor of Logic* should be augmented, provision being made for securing the discharge of an adequate amount of duty.

The Committee further considered whether a *Readership in Rhetoric* should be revived, and a *Professor-*

ship of Archæology established ; but they were of opinion that neither of these was necessary at present.

It also appeared, to a majority of the Committee, not expedient to recommend at present the establishment of a Professorship of *Mental Philosophy*. And we think it better not to appoint at present an *Assistant Lecturer in Modern History*, but to wait and observe the operation of the new school of History and Law ; in which opinion we are little if at all at variance with that of Her Majesty's Commissioners.

2. *Endowments
and Augmenta-
tions of Profes-
sorships.*

2. Upon the more difficult question as to the resources from which *new Professorships may be endowed*, or the *Salaries of existing Professors augmented*, the Committee have had to consider various suggestions, some of them of much importance—particularly, that the incomes of certain Fellowships shall be applied to the payment of Professors, or that means shall be provided for the same purpose by an equitable assessment upon the corporate property of the Colleges. But they determined that they could not recommend that aid shall be required towards the increase or payment of the Salaries of the Public Professors either by assessments upon College property, or by the appropriation of Fellowships to these purposes, in cases not provided for, as at Magdalen and Corpus Christi Colleges, by the Founders.

The University will find other resources, less open to question, as the occasions shall arise ; as, e. g. from the profits, perhaps, of the University Press ; and by dispensing with the offices of two of the six existing Bedels, and appropriating to a new purpose the fees at present applicable to them ; and, possibly, by obtaining from the government a remission of the present taxes on Degrees and Matriculations—(the University fore-

going at the same time those augmentations of Professors' Salaries which are now paid by the Crown); and, again, from fees to be paid by the members of the University.

For we concur with the Commissioners' 18th Recommendation, "that Professors and Lecturers should be allowed to receive Fees;" those, at least, excepted, who may be amply remunerated by Endowments. We think it expedient also that the present scale of Fees should be revised. It deserves consideration, indeed, whether a Fund should not be provided as at Cambridge in lieu of Fees.

3. The Commissioners' 15th Recommendation suggests, "That restrictions on the appointment of Professors should be removed." But by this is intended, according to the Report, that "All limitations as to birth, degree, or tenure of office should be repealed;" and, "If in any case this be found impracticable, new Professorships should be created by the side of those which are thus encumbered." We cannot concur in this unqualified Recommendation. But it appeared to a majority of the Committee inexpedient that the Electors of the *Professor of Moral Philosophy* should be restrained, (as they are at present, when there is no grave reason to the contrary,) from reappointing to the office, a Professor who has held it during five years. The greater part also of the Committee recommend that the existing restrictions upon the appointment of the *Professor of Anglo-Saxon* should be removed, if there is a power competent to remove them. Whilst with regard to the two *Savile Professorships* it was not thought that any recommendation need be made for the removal of the restrictions created by the Founder. In the case of the *Lady Margaret's Professor of Divinity*,

Fees to Professors.
Recom. 18.

3. *Appointment of Professors. Restrictions, &c.*
Recom. 15.

See Report, p. 108.

the Committee consider it desirable that the interval between a vacancy and a new appointment should not be restricted to the very short period at present prescribed; and that the office should not be for two years but for life.

*Appointment of
Margaret Pro-
fessor.*

Recom. 16.

The *appointment* also of this Professor, they are of opinion, should not remain with the Graduates in Divinity, but should be transferred to the Crown from which the Endowment is derived. In the Commissioners' Recommendation, on the other hand, "that the appointment to newly-created Chairs should be given to the Crown," they by no means concur; except (upon the same principle as before), in the instance of Chairs founded and endowed by the Crown.

That "the appointment to existing professorships should be left in the same hands as at present," appears to the Committee perfectly right; only without the exception introduced by the Commissioners as to the transfer of certain appointments to their proposed "Congregation."

*4. Assistant
Professors.*
Recom. 17.

4. As to the establishment of "Assistant Professors or Lecturers," the Committee have already recommended, and the University has sanctioned the establishment, for a limited period, of such an assistant to the Professor of Chemistry for the purpose of teaching "Practical Chemistry." In any other case, when the University shall upon experience have recognised the need of an assistant to a Professor, we do not recommend his being appointed by a Board as suggested by the Commissioners, but that the usual methods of appointing new Professors should be observed. And we do not recommend that endowments should be provided for such assistants to Professors by their retaining Fellowships in Colleges though married.

5. Finally, your Committee do not concur in the Recommendation "that the Professors should be distributed into four Boards for the regulation of Studies: viz. Theology;—Mental Philosophy and Philology;—Jurisprudence and History;—Mathematical and Physical Science." One Board of this kind, indeed, consisting of the Professors of Divinity and of Hebrew, the University may be said to have established; but this only for the purpose of providing for the Divinity Examinations contemplated under the New Statute of 1842. Recourse, however, was had to the advice of the Professors in framing the amendments of this Statute in 1847 and 1853; and we consider that it might be very advantageous if the Hebdomadal Board not merely consulted from time to time the Professors, but appointed Committees *including* Professors, and others specially conversant with particular studies, whose duty it should be to make Reports to the Vice-Chancellor upon the existing state of such studies, or to suggest improvements.

*5. Boards for
the regulation
of Studies.
Recom. 13.*

It will have appeared that the difference of views between the Commissioners and ourselves upon the subjects of this Section extends beyond mere matters of detail. The Commissioners observe indeed with satisfaction "that the Hebdomadal Board, in their letter to the Chancellor, acknowledge 'the combination of the Professorial and Collegiate system' to be 'most important and most beneficial.'" We have no doubt that your Board adheres to the opinion which you expressed in 1850; which had no reference, however, to some possible combination of the two systems, but, as was distinctly stated, to that combination of Professorial and Collegiate instruction which is actually established in this University; which has suffered, in-

Report, p. 102.

deed, some interruption in consequence of the exclusive attention of the students to the examinations instituted in 1800, (as appeared from the tables of attendance upon Professorial Lectures, printed not long since by Dr. Daubeny,) but not more, it is to be hoped, than a "temporary interruption." And one of the objects of the recent Examination Statute was to revive and restore to efficiency this system of combined instruction. But the system of the Commissioners, with its ample staff of well endowed Professors, its array of Lecturers, and multitude of Unattached Students, is one which this University never knew, and, we may be permitted to hope, will never know. For, remote as are such results from the contemplation of the Commissioners, it would tend, we fear, to substitute Information for Education, and Sciolism for Religion.

Evidence.

There was valuable Evidence to this effect before the Commissioners. There is more in the volume which we have printed. With few exceptions, in fact, the Evidence we have received, from those who have entered into the subject, is opposed to the views of the Commissioners. Mr. Litton, writing upon Theological instruction, alludes perhaps to the Professorial system in general, when he speaks of "a stimulus imparted to "the Professorial system," and the way being opened "to what above all things we want, the formation of a "body of assistant Theological Professors, or Lecturers, "from which in the regular course of things, the Professors might be chosen;" so that we might "retain "amongst us those who might be expected to adorn "their chairs, but who at present are too often lost to "literature and the University^f." Mr. Rickards also states his agreement with the 14th, 15th, 17th, and 18th Recommendations; but with regard to the 16th, he

^f Evidence, p. 413.

“deprecates the appointment to any chairs (except those of the Regius Professors) being vested in the Crown: i. e. the Minister of the day. Such a mode of appointment is too often a practical exclusion of men of an opposite political party^g.” In the paper communicated by Mr. Chretien, Mr. Congreve, and others, the 16th Recommendation is approved with a slight modification; and as to the 14th, it states as the opinion of those who sign the paper, “that the requisite number of Professorships should be provided, and the endowment of Professorships already existing, when inadequate, should be increased; the several Colleges contributing in a due and equitable proportion, whether in the form of a tax upon their resources, or in certain cases by the attachment of one or more Professorships to the foundation according to the precedent set by the Founders”—meaning of course the Founders of Magdalen and Corpus Christi Colleges^h.

But other writers have gone more fully into the subject. Mr. Gordon, who fully recognises the importance of Professorial teaching in combination with Collegiate instruction, and foresees that the subjects lately introduced into the Schools, especially the Physical School, will create a demand for more University Lecturers, yet shews that the system of the Commissioners is somewhat visionary, that it never existed in this place, and would be unsuited (as Dr. Whewell had also shewn) to the most numerous class of Students. And he is by no means in favour of the University establishing Professorships “not for teaching merely but for the support of learned men.” As to the appointment of Professors, he observes, that “should the Crown or the East India Company find any out of their own resources, it would be right that they should retain the patron-

^g Evidence, p. 497.

^h *ibid.* p. 344.

“age ; but Professorships founded out of the University funds should not be taken out of the hands of “the Universityⁱ.”

Mr. Hussey states his objections briefly, but strongly to the 13th and 16th Recommendations, respecting the establishment of Boards of Professors for the regulation of studies, and giving to the Crown the appointment to all new chairs^k. Mr. Muckleston gives his opinion (and his reasons for it) in yet stronger terms against Recommendations from 12 to 18 inclusive as “parts “of the Commissioners’ main scheme for sacrificing “the Tutorial system to the Professorial ; a scheme “which involves a change from catechetical teaching “to oral lectures ; which abolishes moral superintend- “ence in furtherance of objects merely intellectual ; “which is un-English in its principle, and which would,” he believes, “fail in accomplishing its avowed purpose, “the advancement of knowledge^l.”

To the same effect Mr. Freeman writes of the scheme, “which constitutes the Professors alone into a per- “petual Board ‘for the supervision of studies, the “‘appointment of Examiners, and the management of “‘the public Libraries.’ Here we have in full force “the grand chimæra of Professors and a ‘Professoriat “‘system,’ not simply as forming a useful supplement “to the more limited instruction given by the College “Tutor, not as a means of teaching various branches “of knowledge which do not enter into the ordinary “curriculum, but as something desirable for its own “sake, or rather for the sake of the mere name.” And he proceeds to argue specifically against the principle of appointment by Boards of Professors^m.

The Vice-Chancellor decidedly preferring the in-

ⁱ Evidence, pp. 206-214.

^k *ibid.* pp. 235, 236.

^l *ibid.* pp. 254, 255.

^m *ibid.* pp. 320-323.

struction of Tutors to that of Professors, if it were necessary to make a single choice between them, and wishing that Tutors "should continue to retain in their hands the main course of instruction of the junior members of the University," yet desires to combine the two kinds of instruction somewhat more systematically than is the case at present, and so hopes to "relieve the pressure of the Private Tutor system, which at present weighs so heavily upon the finances of Undergraduates".

Mr. Meyrick enters at much greater length into the whole question of the Professorial and Tutorial systems; analyses the Evidence communicated to the Commissioners; shews the tendency of their scheme; bids the Fellows and Tutors of Oxford take warning from the fate of the University of Leipzig; gives various reasons to prove "that the preponderating influence ought to remain still with the College Tutors, the Professorial teaching being supplemental to it;" suggests methods for combining the two systems; objects to the creation of sub-Professors or Lecturers as recommended by the Commissioners; contends "that the objections against appointments by the Crown are very far greater than those against appointments by Convocation;" and, "with regard to the present Professorships, counts it a matter both of principle and expediency, to leave the appointments in the hands in which they now are, without change;" and adduces various reasons to shew that the proposed transfer of the Nomination of Examiners from the Vice-Chancellor and Proctors to a Board consisting of all the Professors, and of them solely, would be most mischievous, and detrimental to the best interests of the place^o.

But no one has discussed the subject so fully as the

^a Evidence, pp. 391, 392.

^o *ibid.* pp. 275-295.

Professor of Hebrew, who has not merely given his opinions, and his reasons for them, but has brought a large experience, (both his own and that of others,) of the actual results of Professorial teaching, especially in the German Universities, to bear upon all the questions connected with this important matter. His Evidence should be read. It is too copious to be abridged; since he has not only given his reasons against specific Recommendations, (the 13th, 14th, 16th, 17th,) included under this Section, and brought out a variety of facts in support of his observations, but has considered the general subject, in an Introduction of some length; shewing how inadequate is the Professorial system for intellectual, moral, or religious training, and exhibiting its ill effects in Germany, its failure even to produce good books, and its tendency to aggravate instead of checking religious controversy. He considers, in a word, "the great question which pervades the whole Report, whether the education given by the University shall be Collegiate or Professorial, whether (which is in fact the same) it shall be for the formation of the mind, or for the imparting of knowledge. I believe," he adds, "that a yet deeper question is really involved in this, whether the instruction shall be imparted by the laity, of any religious opinions or creed, or by the clergy of the Church. Her Majesty's Commissioners of course intended, as they say, that both systems should go on together, and that the Collegiate system should be continued, as subordinate, initiatory to, and leavened by the Professorial. My conviction is, that the tendency of their Recommendations would be to destroy the Collegiate system, and with it the solid formation of minds, prepared to apply themselves with sound judgment to whatever subjects they may afterwards

“be engaged in.” And after a full exhibition of the results in Germany, (and not in Germany alone,) “of abandoning the discipline of Colleges and Halls, and substituting for it a discipline such as the Commissioners propose,” he concludes his introductory remarks, which chiefly bear upon the 2nd, 3rd, 10th, 12th—17th of their Recommendations, by stating, that, “Since the result of research, diligence, instruction, is assured and solid knowledge, we may well abide by our own system, until we see, not in theory only but in its fruits, that another forms the mind more solidly, maintains its independence better, while aiding it to think aright, encompasses it with religious influences without forcing it, or yields more solid religious knowledge than that contained in our English Divines, the ultimate result of the training of our Universities and of residence in them.”

“We have abundance of theories about the Professorial system. We have no facts of its having produced any but evil fruits. The training of our youth, the intellectual, moral, religious formation of their minds, their future well-being in this world and the world to come, are not matters upon which to try experiments.”

VII. CONSTITUTION.

With the view of restoring the University system, as distinguished from the Collegiate, the Commissioners considered it “necessary to reconstruct the Professorial system;” and, amongst other things, “to raise the Professors to an important position in the University.” Hence in part, we may presume, the scheme of a *Remodelled Congregation*, with its various functions as described in the 2nd Recommendation, VII.
CONSTITUTION.
Report, p. 102.

^p Evidence, pp. 1—64. 89—123.

which would in effect give to the Professors and Lecturers a position of complete predominance in the University.

1 Remodelled
(Congregation.
Recom. 2. Re-
port, pp. 7-19.

1. We have considered, and cannot concur in, the proposal for a House of Congregation remodelled according to the scheme of the Commissioners. And in this opinion we coincide with many other members of Convocation.

The Commissioners' scheme is, indeed, approved in the Communication from Mr. Chretien, Mr. Congreve, and others, but with some slight modifications. They do not include the Proctors in the new Congregation, and they would have "this body meet at least once in "the Term on fixed days^q." Mr. Rickards declines to pronounce any judgment upon the first five Recommendations "bearing upon the government of the "University," being "not sufficiently well informed to "form a competent opinion on the plan proposed by "the Commissioners." But specific objections are brought against the remodelled Congregation by all the other writers who have favoured us with their observations upon the subject. Mr. Gordon and Mr. Hussey have analysed the constitution of the proposed body, its powers, and its relations with the Hebdomadal Board, which the Commissioners would preserve with certain functions; and both dissent from the scheme. Mr. Gordon thinks that "such a body invested with such "powers, so far from being an improvement on the "present state of things, would be likely to combine "all the defects of the Hebdomadal Board with others "peculiarly its own^r." Mr. Hussey, having shewn what would be the practical working of the new system, says, "This would be a revolution in the constitution of the University." And he proceeds to shew

^q Evidence, pp. 342, 343.

^r *ibid.* pp. 175, 176.

why, on several grounds, “ the Professors and Academic teachers are by no means necessarily the fittest persons to be entrusted with a large share of legislative influence.”—“ The Heads of Houses, as a body, are naturally more likely, from their acquaintance with the business of the University, and their deep interest in the moral and intellectual wellbeing of its members, within their own societies especially, to be able to judge of its real requirements, than the Professors, as a body.” And though, like Mr. Gordon, he wishes to see some change with respect to the right of initiating measures, (of which we shall speak presently,) he thinks that “ the plan recommended by the Commissioners would produce more evil than it would remedy^s.” Mr. Freeman, Mr. Marriott, Mr. Meyrick, Mr. Muckleston, all desiring changes in the constitution, decidedly object on various grounds to the 2nd Recommendation as conflicting, e. g. altogether, with Academic and Constitutional liberty and self-government; and, (taken in conjunction with the other recommendations annexed to it) “ likely to issue in consequences extremely detrimental to the University, and indeed to the nation^t,” or they regard the proposed Congregation as a body “ far too large for the convenience of working together;” and comprising “ many members of the University whose time ought not to be unnecessarily taken up with legislative debates,” and “ liable also to an excess of influence from without^u,” as “ most objectionable, (1) because a third power is thus called in, and the independence of Oxford endangered, (2) because the voice of the Masters is not set free, nor their power increased, but rather diminished, (3), because the proposed

^s Evidence, pp. 219—223.

^t Ibid. pp. 311—323.

^u *ibid.* p. 303.

“ Congregation is a close oligarchy, while it professes
 “ to recognise the principle of Representation, (4) be-
 “ cause it is an unreality, being brought forward under
 “ an old title, whereas it is an institution essentially
 “ novel.”

Many of the observations of the Professor of Hebrew bear upon this subject in his introduction, as well as in his remarks upon the 3rd Recommendation, besides those which fall directly under this head. Having “ mentioned some reasons why the studies
 “ should not be committed to the exclusive control of
 “ the Professors,” he observes that, “ the same grounds
 “ hold still more strongly against a plan which would
 “ give them a preponderance in the whole direction
 “ of the University;” and he thinks, that “ whatever
 “ amount of mistrust has already existed between the
 “ Hebdomadal Board and Convocation would” (under the proposed plan) “ be multiplied 500-fold.”

Mr. Round states various reasons against any change of this kind in the constitution and government of the University². Mr. Chapman is in fact of the same opinion, but if any new body is to be created, “ let it
 “ be at least,” he says, “ more limited by far, and
 “ guarded far more cautiously than Congregation re-
 “ modelled, or rather created quite anew, as proposed
 “ by the Commissioners: let it at least represent the
 “ present real University, not a future and ideal one.” And he proceeds to shew the defects and disadvantages of the proposed Constitution^a.

The Tutors also, who desire and suggest a change, are decidedly opposed to the scheme of the Commissioners, and, principally, because (1) it gives an undue preponderance to the Professorial element; and (2)

^x Evidence, p. 270.

^y *ibid.* pp. 1—64. 89—93. 135 and seq.

^z *ibid.* pp. 463—466.

^a *ibid.* pp. 459—461.

makes no provision for securing harmony of action; (3) they foresee the danger of the Congregation becoming "a vast debating society;" and (4) they regard it "as a great defect in the proposed scheme, that it "introduces into the 'remodelled Congregation' no "element of a popular character;" and (5) they object to the plan "that it leaves the present Hebdomadal "Board in a position disadvantageous to themselves, "and injurious to the University." (Tutors' Report, No. II. pp. 9—13.)

Concurring in most of the abovementioned objections to the 2nd Recommendation, we have expressed our opinion against it at the commencement of this section, because this Recommendation affects several others. But before we proceed to offer any particular suggestions as to this part of the Academical Constitution, we beg to state the conclusions which we formed respecting other Recommendations of the Commissioners falling under the head of the Constitution of the University, some of them having an immediate bearing upon what we shall finally venture to recommend respecting the Initiative and the questions connected with it.

2. With respect to the appointment of the *Vice-Chancellor*, it appeared to your Committee that there was no sufficient reason for changing the present law, which requires that the Vice-Chancellor shall be appointed from the Heads of Colleges only. To the greater part of the Committee it also appeared expedient abstractedly that the Chancellor's nomination of the Vice-Chancellor should be absolute; and further that, in accordance with the Opinion of Counsel given upon the question in 1845, the Chancellor has by Statute such absolute nomination; and thirdly, that there was not sufficient reason for removing from the

2. Office of
Vice-Chancellor.
Recm. 4.
Report, pp. 9. 17.

Statute Book the passage in the Laudian Code which seems to give to Convocation a veto upon the appointment of the Vice-Chancellor.

We have not received much Evidence upon this subject. Mr. Gordon approves of an absolute nomination by the Chancellor, and would be glad to see any passage removed from the Statute Book which seems to give to Convocation a veto upon the appointment^b. Mr. Hussey would still have the assent of Convocation asked to the Chancellor's nomination, "as a possible" "protection against a bad appointment," and "as a" "remnant of Constitutional liberty^c." Dr. Pusey takes the same view, and for similar reasons^d. Mr. Muckleston thinks it "unreasonable that Heads of Halls should be" "excluded" from the office, but would have "some" "principle of rotation ensured to prevent its becoming" "a matter of private patronage^e."

3. *Appointment and functions of the Proctors.*

Recom. 5.
Report, pp. 9—
11. 20.

3. The Commissioners' 5th Recommendation suggests various alterations respecting the appointment and functions of *the Proctors*, in some of which we are able to concur. We agree with them in thinking it desirable, that "the tenure of the Proctors' office" "should be extended to two years, one Proctor going" "out of office at the close of each year;" and that the present "limitations with respect to standing should" "be no longer retained." We recommend that the time within which persons shall be eligible to the office shall be from four to fourteen years from the Regency in Arts; and further that any Member of Convocation, not being a Doctor in any faculty, shall be eligible within the abovementioned limits. We think it expedient moreover that the Proctor elect should be

^b Evidence, p. 180.

^c *ibid.* p. 223.

^d *ibid.* pp. 158, 159.

^e *ibid.* p. 250.

resident from the period of his election during the remainder of the Lent Term. With respect to their appointment, we think that they should be elected from the Colleges by a Cycle ; but that the present Cycle should be amended. The election, we are of opinion, should be made by the Colleges ; but the greater part of the Committee consider that the election of the Proctor should be confirmed by the Convocation ; the College which has made its choice having power to elect another Proctor, in the event of the Convocation not confirming the previous election. Should there be no Proctor from the College, we think that the Vice-Chancellor should nominate a Proctor from the Halls or elsewhere. And with the Commissioners we are of opinion, that the Proctors should be reeligible as at present.

But we cannot concur in some of their Recommendations touching the functions of the Proctors. We think, indeed, that they should be relieved from the duty of adjudging the Chancellor's and the Newdigate Prizes, and any others of like nature. In the election of Professors they have at present no voice, except in the instances of the Professors of Moral Philosophy and of Music ; and these appointments we think need not be disturbed. We think also that the Proctors should continue members of the Board which nominates select Preachers ; but we beg to recommend that the three new Professors of Divinity should be added to this Board.

In the nomination of Examiners we recommend that the members of the Board shall nominate jointly not separately ; that is to say, that the nomination shall be that of the majority, not of an individual member of the Board : and further, that the Board for this purpose in the case of the Responsions shall consist of the Vice-Chancellor and the two Proctors as at present ; and so

likewise in the case of the First Public Examination (by the Moderators); but that the Examiners for the several schools at the Second Public Examination shall be nominated by Boards consisting in each case of the Vice-Chancellor and the two Proctors and of two other persons. The majority of your Committee were also of opinion that the veto of the Proctors in Convocation should be retained.

Upon some of these questions it was to be expected that there would be some variety of opinion in the Evidence with which we have been favoured. Dr. Pusey, Mr. Gordon, Mr. Hussey, Mr. Marriott, and, as it may be inferred from other parts of their evidence, Mr. Round and Mr. Meyrick, desire that the veto of the Proctors may be retained; whilst Mr. Muckleston and Mr. Chapman consider that it ought to be abolished^f. But, as will be found in the places to which we have referred, those who have examined the question are generally agreed that the Proctors may with advantage be excused from adjudging prizes, but that they should retain their other functions with respect to the nomination or appointment of Examiners, of Preachers, and Professors, except the appointment of the Professor of Music. It is generally wished also that they should be elected, as at present, by a Cycle, but that the Cycle should be amended; and that they should be elected as at present under limitations; but with the period of eligibility, that is to say not "the inferior limitation of standing, but the superior" extended—"from ten to twelve years," according to Mr. Hussey, that is to say, extended two years; but, as Mr. Marriott thinks, "the superior limit of standing might be extended at least five years^g." Mr. Marriott also and Mr. Muckleston

^f Evidence, pp. 159-161. 180, 181. 223-225. 304. 250, 251. 288. 289. 458, 459. 466, 467. ^g *ibid.* pp. 180, 224. 250. 304.

wish for the extension of the office to two years. But Mr. Hussey and Mr. Gordon, speaking from their experience as former Proctors, consider such a change very undesirable. The latter however suggests that "the new officers might advantageously enter upon their duties at the beginning instead of the end of the "Easter Vacation;" and Mr. Hussey rather favours the idea, long ago suggested, "that both Proctors should not enter office together, but at different times in the year, one six months before the other." Mr. Round wishes that they should be *resident* for some period prior to their taking office; and appears to concur in Mr. Scott's suggestion that they should have previously served the office of Proproctor.

4. On the important subject of the appointment of *4. Delegates.*
Delegacies, we pass by those portions of the 3rd Recommendation (that is to say, the two first clauses, and the last sentence,) which relate to the connexion of standing *Recom. 3.*
Delegacies with the proposed Congregation; since we have already stated our inability to concur in the suggestion of a "remodelled Congregation." The remaining *Report, pp. 15,*
 portion which recommends, "that the Professors should *16.*
 be formed into a Standing Delegacy, wholly official and not liable to alteration, for the supervision of Studies, the appointment of Examiners, and the management of the Public Libraries," we considered, and we thought it objectionable.

This appears to have formed a part of the Commissioners' general scheme for "raising the importance of the Professorial body;" and "the Professors," the Commissioners add, "if formed into an official Delegacy, would have such a position as we desire." *The Report, p. 16.*
 The proposal under this aspect has been mentioned before, and, as will have appeared already, has been objected

to in many parts of the Evidence communicated to us. But the writers also, without at all disparaging the Professors, but not embarrassed by the Commissioners' desire to raise their importance, have considered in detail whether they could be calculated to discharge the functions well which the Commissioners would assign to them, and for very obvious but important reasons have decided in the negative; nay, that they would often be, from their very eminence and their devotion to particular branches of study, less likely than others to discharge such functions well, to maintain our classical studies in their proper position, or to superintend *Education* properly so called. These and other objections to the proposal will be found stated at length in the Evidence of Dr. Pusey, Mr. Gordon, Mr. Muckleston, Mr. Meyrick, Mr. Marriott, and Mr. Freeman^b.

But whilst we concur in most of the objections urged against this proposal of the Commissioners, we earnestly desire the aid and advice of the various Professors with special reference to their particular studies, and have already offered one suggestion to this purpose in our remarks on the 13th Recommendation, (see above, p. 59.)

The subject of Delegacies, meanwhile, requires attention in several other respects. Thus it appeared to your Committee desirable that the time of appointing the *Delegates of Appeals* in Congregation and in Convocation should be altered; the last Congregation before the expiration of the Proctors' office being preferable for this purpose to the first after their taking office. But this subject we think had better be considered at a future time together with the whole of the

^b See Evidence, pp. 89—93. 180. 250. 294. 303, 304. 320—323.

Statute “De Judiciis,” which demands a full and distinct consideration.

In the Statute for the appointment of *Stated Delegates* by the Vice-Chancellor and Proctors, (Corpus Statutorum p. 126,) we recommend that the words “aut per majorem partem eorundem” should be introduced, upon the principle adopted in the Statute respecting the nomination by the same parties of the Delegates of the Press (Appendix, p. 64.), and of the Delegates of Estates (Addenda, p. 97).

The *Annual Delegates of Privileges*, we are of opinion, should be nominated not as heretofore by the Proctors alone, but by the Vice-Chancellor and Proctors, or the greater part of these three; the Delegates so nominated to be approved, as before, by Convocation. And the nomination, we think, should take place at the commencement of the Michaelmas Term.

We would have Delegacies for ceremonial purposes nominated according to the present practice under the existing Statute (Corpus Statutorum, p. 125.); and Delegates *ad expedienda negotia*, appointed, as at present, at the discretion of the Hebdomadal Board. But we recommend that the Hebdomadal Board should determine the number of such Delegates *pro re nata*; and further, that they should be nominated by the Vice-Chancellor and Proctors or the greater part of them; one half of such Delegates being members of the Board, the other half consisting of any other members of Convocation or Bachelors of Law or of Medicine; all to be approved by Convocation.

We apprehend that this latter Recommendation more especially, if it should be adopted, would lead to a much more frequent appointment of Delegacies, and in effect to a much more harmonious discharge than

heretofore of the different Executive and Legislative functions of the University authorities.

5. *The Hebdomadal Board.*
The Initiative.

5. This recommendation, accordingly, we request may be borne in mind whilst we proceed to some suggestions respecting *the Hebdomadal Board*, and *the initiation* of measures to be brought before the Convocation. We speak only of the Legislative functions of the Board, because to these the recent discussions have principally referred; and the Commissioners having in their 2nd Recommendation proposed and described their new "Congregation" to which "the right of initiating measures should be confided," recommend "that, these changes being made, the Hebdomadal Board should continue to discharge its executive and administrative functions, and should also retain its present right of originating measures."

But even with respect to its legislative functions, the greater part of your Committee, acquainted experimentally with the present exercise of the initiative, although they would rejoice to see any real improvement in the Academic Constitution, may yet be excused if they think many of the late complaints upon this subject somewhat exaggerated. It is only doing justice to Members of Convocation to suppose that there is some exaggeration in their language, when they speak of measures brought forward by the Board being "unlikely to be considered merely upon their own merits, or to receive fair and candid treatment from those who have to decide upon them;" for intelligent and conscientious men will not refuse a fair and candid consideration to measures emanating from a Constitutional authority, notwithstanding any objections they may entertain to the Constitution itself. And, in point of

fact, the very great amount of actual legislation accomplished by the University within the last half century, proves that the measures proposed have met with candid treatment, and that the present system, under whatever disadvantages it may labour, has been neither inoperative, nor, upon the whole, unsuccessful. Mr. Round, accordingly, a former Proctor, observes, "that the acknowledged merits of the course of recent legislation in the University do not make out a case against the authors of it, or prove them unfit for the duties which are assigned to them." Indeed he advocates the present system, replies to several of the usual objections to it, and even supposes that the dissatisfaction which has been expressed "has been occasioned by temporary causes, and will therefore gradually subsideⁱ." And temporary causes for the existing dissatisfaction might be assigned, sufficient, perhaps, to account for it, yet such as would not really disparage the present Constitution. Mr. Chapman also states that he never felt "during a residence of twenty years, the depressing burden of the present system," and he "cannot help expressing a very strong conviction that the stability and permanency of the system as at present managed by the Hebdomadal Board, has far more than counterbalanced the slight inconveniences attending this mode of government." And he believes "few greater evils could be inflicted on the University, than a governing body disposed to be for ever meddling, and given to perpetual change^k." The Provost of Oriel, (admitting the fact of some want of communication between the members of the Board, and other members of Convocation,) has gone at some length into the actual working of the Board, according to his experience during the last five and twenty years,

ⁱ Evidence, pp. 463-466.

^k *ibid.* pp. 459-461.

its care to obtain the counsel, and consult the wishes of other members of Convocation, and the state of the fact as to the course of Academical legislation since the compilation of the Laudian Code, and especially the number and importance of the Statutes passed between the year 1800 and the present time¹. Professor Hussey also and Mr. Gordon, both of them former Proctors, speak more favourably of the present system (although desirous of improvement) than those who have not had the same opportunity of observing its actual operation. The latter is careful to mention that he "had never to complain that the opinion of the Proctor, especially when he professed to speak the sentiments of the Masters as far as he knew them, failed to meet with due consideration;" and he is "convinced that no violent measures or great organic changes are required to establish good terms and harmonious cooperation;" for the change that is wanted, in his judgment, is not so much in the constitution of the University, as "in the relations between Convocation and the Hebdomadal Board." He would therefore add a small number of members of Convocation to the present Board. Mr. Hussey would "appoint Delegacies. If Delegacies were nominated freely, to deliberate with the Board on every important measure to be brought into Convocation, it would expedite business and prevent the chance of collision between the Board and Convocation." He contemplates, indeed, "a kind of permanent Delegation" for this purpose, whose concurrence should be necessary in order to measures being brought into Convocation, and which should also have power "to propose measures for initiation to the Board^m."

We believe, that, *practically*, a very great improve-

¹ Evidence, pp. 365-371. ^m *ibid.* pp. 176-180. 222, 223.

ment would be effected, and a great advance made towards that perfect cordiality between Convocation and the Board, which all must desire, if only a continual communication were established between them by the methods suggested above (pp. 59, and 74); by the appointment namely of frequent Delegacies, and Committees including Professors, Tutors, and other members of Convocation, and so bringing together members of the Board and such other members of Convocation as may be particularly conversant with the subjects under discussion, for the joint consideration and preparation of legislative measures to be submitted to the decision of the University at large. These alterations, slight as they may appear to some, would have a very considerable practical effect; possibly sufficient for the end desired.

Nevertheless the very existence of dissatisfaction and distrust, where there should be the utmost harmony of action, consistent with the diversity of human judgments, is so serious an evil, that we proceeded to consider additional remedies for it.

There have been various speculations upon this subject; some of which are discussed in the printed Evidence, besides the suggestions already referred to. You will see different schemes proposed, namely, in the Evidence of Dr. Pusey, who would have an Intermediate Board established between the Hebdomadal Board and Convocation; of Mr. Muckleston, who would prefer having some Masters of Arts added to the existing Board; of Mr. Freeman, who desires to substitute an elective or rotatory Council for the present Board; and of Mr. Meyrick, who suggests certain conditions under which the Board might remain as at present constituted, including among these conditions, "That for legislative purposes the House of Convocation should be considered to consist only of resident Masters, non-resi-

“dents only voting in elections for Chancellor and “Burgesses, and such Professors and others whom at “present they have the right of electingⁿ.” He goes on, however, to notice two other plans recommended by the Tutors; greatly preferring the first of the two, and stating some strong objections against the second. These two plans, it may be added, since they are referred to in several places of the printed Evidence, substitute an entirely new Board, (based, as it is considered, upon the principle of Representation,) for the present Hebdomadal Board; the first, a Board consisting of “Twelve Representatives chosen by the Heads “of Houses, and Twelve by the other resident Members “of Convocation;” the second plan, a Board consisting of “Nine Delegates chosen by Heads of Colleges and “Halls—Nine chosen by Resident Professors, Public “Examiners, and Moderators—and Nine by the Tutors “and other resident Members of Convocation, not included in either of the above classes.” It is particularly added, that “The Electors must in all cases be “Residents;” and among other details, that “The “Vice-Chancellor and Proctors should have official “seats at this Board.” (Report, N^o II, p. 16.)

We have ourselves considered several plans, but into the details of most of them we need not enter. Almost all the various schemes suggested, it is obvious, resolve themselves mainly into three; the substitution of some new Council for the present Hebdomadal Board; or some addition of Members to the Board itself; or the introduction of some Intermediate Board or Council or Delegacy between the Hebdomadal Board and the Convocation.

One of the plans which we considered, but did not think advisable, may be seen as it is sketched in the

ⁿ Evidence, pp. 140–156. 249, 250. 323. 270–275.

Evidence of the Vice-Chancellor^o. And substantially the same plan, that of an Intermediate Board, is more fully developed by the Professor of Hebrew, who with great care and ability sets forth its advantages, comparing it also with almost all the others which have been suggested. And as he had before examined and shewn the defects of the Commissioners' scheme, he now adverts to those which had been proposed in the Evidence which they received, and dwells particularly upon the 3rd plan suggested to them "an entirely new Board, composed of a select number of Heads of Houses, Professors and Tutors," (which is the basis of the second scheme mentioned above as advocated by the Tutors,) and very distinctly points out the serious objections to which it is exposed. Almost all the plans, in a word, which have been suggested, as well as the existing Constitution, will be found succinctly discussed in this portion of the Evidence^p. In a Communication to the Committee, after he had sent in his printed Evidence, Mr. Marriott gave his adhesion to the plan of the Hebrew Professor, which he greatly preferred both to those of the Tutors, and to that which he had himself suggested.

But, not to dwell upon other schemes, there were only two plans which the Committee desired to bring before you in detail.

(1.) Some of our number approved of the following scheme; viz. That, the composition of the Hebdomadal Board remaining as it is at present, there shall be an Intermediate Board established to which all Legislative measures shall be referred by the Board of Heads of Houses and Proctors, before they are submitted to Convocation. That by legislative measures shall be understood, every measure requiring the vote

^o Evidence, pp. 383, 384.

^p Ibid. pp. 140—156.

of Convocation ; except questions relating to Degrees, which shall pass at once to the Convocation without being referred to the Intermediate Board. That the measures so referred to this Board shall, if not approved by it, be remitted to the Hebdomadal Board, but if approved, be submitted at once to the Convocation. That the Intermediate Board shall also be authorized to recommend measures to the Hebdomadal Board for consideration with a view to their being brought before the Convocation ; the Hebdomadal Board not being under obligation to bring before Convocation measures so recommended, nor precluded by any Statute from receiving suggestions or recommendations, as at present, from any other members of Convocation not members of this Intermediate Board.

That the new Board shall consist, besides the Vice-Chancellor and the two Proctors, of twelve other members, to be elected by ballot by the Convocation. That three at least of these shall be Doctors, and the others Members of Convocation of not less than four years' standing from their Regency. That one Doctor and three of the other twelve members of the Board shall vacate their seats in each year ; but be re-eligible. And that vacancies occurring at other periods shall be filled up within a month, except in time of Vacation.

This plan having been approved by several members of the Committee, although not by the majority, we agreed should be submitted to your Board as deserving of consideration.

(2.) But it was further agreed that the following plan should be *recommended* to your Board, having been preferred by the greater number of the members of the Committee ; viz. That, the Hebdomadal Board retaining all its present functions, its composition shall be altered by the addition of eight other members of

Convocation. That these additional members shall be of not less than four years' standing from their Regency; and shall be elected by the Convocation in the last week in October by lists put in by each member of Convocation present at such election; the eight persons who are named in the greatest number of lists being the persons elected; but with the proviso that not more than one Member of any one College shall be so elected. That two of the eight persons elected shall retire annually; to be replaced by two new members; the retiring members not being re-eligible until after the expiration of a year. That of the eight persons first elected the two junior members shall retire at the end of the first year; and so in succession in each of the two succeeding years. That casual vacancies shall only be filled up at the single time of election in October; the person chosen to fill the vacant place being elected only for the remainder of the period during which the member creating the vacancy would have filled the office.

The foregoing schemes are to be viewed in conjunction with the previous recommendations respecting Delegacies, and with the following recommendation which was alluded to before, viz. That in the appointment of Committees, the Hebdomadal Board, or any Committee by permission of the Board, shall be at liberty to add other Members of Convocation, (with their consent,) Professors, Examiners, or any others (not members of the Board) supposed to be particularly conversant with the subject referred to the Committee; such added members having the same power of voting in the Committee as its original members.

6. The question often agitated concerning the expediency of Members of Convocation having the right of ^{6. Amendments in Convocation.}

proposing *amendments in Convocation*, is closely connected with the preceding ; so closely indeed, that the opinions expressed upon the subject are sometimes contingent upon the adoption of changes respecting the Initiative.

The Commissioners themselves in their 2nd Recommendation would have measures "proposed to the House of Convocation simply for acceptance or rejection, in the same manner that measures emanating from the Hebdomadal Board are now proposed ;" but then they are here speaking of measures passed by their "House of Congregation." In the Report itself they do not favour the idea of the right of amendment being in any case conferred on the Convocation. The Tutors, although they also are speaking with reference to the adoption of their own schemes of reform, appear indisposed on more general grounds, to allow "to Convocation the right of amending the propositions submitted to it ;" for "such a right would be nugatory unless accompanied with the privilege of debating in English," and this privilege they would be "very unwilling to see conceded." (Report, No. II. p. 21.)

In the printed Evidence the Senior Proctor, whilst he thinks the question of the Constitution "the most important to the well-being of the University which has been mooted," considers "the concession to individual members of Convocation, of the right, under proper provisions, of proposing amendments to measures, however constituted may be the Body which initiates them," to be "essential ;" and he enumerates the several restrictions under which he would have this right conceded⁹. Mr. Meyrick also thinks, "that the House of Convocation should have not only the right of Veto or acceptance, but also full powers

⁹ Evidence, p. 332.

“of amendment, after due notice given^r.” And Mr. Freeman, who refers us to his Evidence before the Commissioners for his real sentiments, which were “widely different from what the Commissioners attribute to him in their Report,” declares himself in that Evidence “strongly of opinion that the right of amendment should be restored to Convocation,” and this, “whatever may be the constitution of the preliminary Board^s.” Mr. Gordon, on the other hand, would have any measure offered to Convocation “in the first instance simply for acceptance or rejection;” but then, “if desired by a majority, be submitted to a committee for reconsideration and amendment^t.” Whilst Dr. Pusey adduces reasons to shew, “why the plan of amendments in Convocation is certainly undesirable;” and Mr. Marriott is convinced, that “the admission of amendments in Convocation at the will of any member is inexpedient. In any controverted case, the difficulty and inconvenience of keeping Convocation together sufficiently long for their proper discussion would be insurmountable;” but he suggests another method for ascertaining the views of members of Convocation^x. These different opinions are not, perhaps, so much at variance as they may at first appear.

The conclusions at which your Committee arrived were as follows. We are of opinion that Amendments should not be put in Convocation by individual Members of Convocation. But we consider it desirable (as indeed has often been the practice) that, in the case of complicated and important measures, some time should intervene between their publication by the Hebdomadal Board and their promulgation in Congregation, with a view to Members of Convocation sending in suggestions

^r Evidence, p. 271.

^s *ibid.* p. 314.

^t *ibid.* p. 178.

^u *ibid.* p. 148.

^x *ibid.* pp. 301, 302.

to the Board, concerning the measures proposed: it being understood that the draught of the proposed measure, as first published by the Board, should be open to alterations prior to its being published in the exact form in which it should be promulgated in Congregation.

Such are the suggestions we offer respecting Academical Legislation. In the consideration of which, the Board will not forget that Legislation is not the proper business of a place of Education, Science, and Learning. Although obviously necessary, it is rather a necessary evil. As it is said by one of the writers in the Evidence, "Legislation is not the permanent object, either of the Hebdomadal Body, or of the University. We do not "live to legislate^y."

VIII. THE STATUTES.

VIII.
The STATUTES.
Recom. 1. Report, pp. 4-7.
Appendix D.
pp. 42-54.
Power to alter Statutes.

Most of the changes which we have either recommended in the foregoing Sections, or mentioned as desirable, will require the alteration of *University Statutes*, and some of them *the aid of the Imperial Legislature*. We will advert to the latter point at a future time. But among the Statutes of the University there are three, commonly called the Caroline Statutes, which it is generally believed the University is not at liberty to abrogate or alter without the consent of *the Crown*. Some persons, indeed, whether upon sufficient grounds or not, considering the whole of the Laudian Code to have been confirmed by the Crown, and that confirmation to have been accepted by the University, agree with Her Majesty's Commissioners in doubting the power of the University to alter any parts of that Code without the permission of the Crown. As to the inde-

pendent power of the University to make or alter any other Statutes, not conflicting with these, there is no question.

It appeared to the majority of the Committee, that there was no sufficient reason for taking the Opinion of Counsel upon the question respecting the power of the University to alter the Laudian Code: and also that no Indemnification should be sought for, as recommended by the Commissioners, in consequence of the doubt entertained by some persons whether the University has not already exceeded its powers in altering the Laudian Code.

But your Board will recollect that early in the October Term 1852 you received and adopted a Report of the Committee, or at least of the great majority of its members, advising "that an humble Petition be presented to Her Majesty setting forth that among the Statutes of the University there are three which were issued by his Majesty King Charles I, and, as is generally believed and acknowledged, cannot be either repealed or amended by the usual mode of repealing or amending Statutes, but only with the special Licence of the Crown: that of these three Statutes one provides for the nomination of Collectors in Lent, a practice now become an unmeaning form; another prescribes rules and provides a cycle for the annual election of Proctors in the several Colleges, but distributes the elections among the Colleges on a scale inapplicable to their respective strength and prominence at the present time, and omits of necessity a large and important College of more recent foundation; the third Statute ordains the constitution and duties of the Hebdomadal Board; that it is expedient that in these cases, and in any others, if there be, or are supposed to be any others, of like

“ nature, the University should be at liberty to repeal
 “ or amend such Statutes as it may and does repeal or
 “ amend any other Statutes whatever: and that the
 “ University prays that Letters patent may issue con-
 “ taining the Royal License to that effect.”

You conferred with the Chancellor upon this subject, at the same time that you sought the Royal License (as before mentioned) to hold lands in Mortmain to a definite extent. But your application was considered to be premature, it being altogether uncertain at that time what alterations in the Statutes the University would desire. You will consider whether the time has now arrived when your application may be renewed.

Evidence.

Few among those who have communicated their opinions to the Committee have touched upon these questions. Mr. Rickards professes himself “ not sufficiently well informed to be able to form a competent “ opinion” upon them. Mr. Gordon also declares himself “ unable to give any opinion on the question whether the University has exceeded its powers in altering the Laudian Code; but if there is any doubt “ on the subject, it would be prudent to receive an “ indemnification, and also,” as he thinks, “ to take “ authority, within limits, to make, abrogate, or alter “ Statutes for the future.” But he does not state within what limits he would have such authority confined. Mr. Hussey merely observes that, “ since it “ has not been shewn that the University ‘ has ex- “ ‘ ceeded its power in altering the Laudian Code,’ “ it has no need of an indemnification, and ought not “ to apply for any; because by so applying it would “ seem to imply a presumption that it had ‘ ex- “ ‘ ceeded its power.’ The University has long “ exercised ‘ authority to make, abrogate, or alter

“Statutes.’ And therefore it does not want now to “receive authority, as if it had none before.” And he is still more opposed to the “exception of a few fundamental articles, not to be altered without the consent of the Crown or some other superior authority,” as uncalled for and dangerous. Whilst Mr. Muckleston approves of the first Recommendation; wishing indeed the University to be “as free and unfettered as possible,” but stating that “the legality of the Laudian Code is already a matter of much uncertainty, which ought to be cleared up in one way or another.” The Provost of Oriel having long observed with great regret that, so far as he could judge, there was great room to question the legal power of the University to alter Laudian Statutes without the Royal License, enters more at large into the question, and subjoins to his Evidence a memorandum which he submitted to the Board in 1836, giving reasons for the doubt he entertained, substantially, indeed, the same reasons which the Commissioners have since observed and recorded. He cites also the opinion of the Professor of Civil Law to the same effect. He agrees moreover with the Commissioners, and with Dr. Whewell, in thinking it desirable that the consent of the Sovereign should be always requisite “for the alteration of a very few fundamental articles in the Constitution of the University.—Few things can be more “unwholesome, in a place devoted to study, education, “and discipline, than continual discussions about the “respective powers of different classes, or adjustments “of their constitutional functions.” But he no less desires “that the University should have full and independent power to make, and abrogate, and alter “all its other Statutes^b.” Mr. Neate, a lawyer, equally

^a Evidence, pp. 497. 175. 219. 249.
372—379.

^b *ibid.* pp. 363—365.

anxious "to preserve as far as possible, now and here-
"after, the independent action of the University," says,
that "according to the opinion of the Lord Chief Jus-
"tice and Dr. Lushington, which, until it is superseded
"by one of higher authority, we must treat as conclu-
"sive, the University has no power, without the con-
"sent of the Crown, to abrogate any portion of the
"Laudian Code." "Even if their opinion," he adds,
"did no more than create a doubt as to the power of
"the University to change its own laws, and that
"opinion must at least raise a doubt in the mind of
"any reasonable man, that alone would be a conclusive
"reason for resorting to a higher and more undoubted
"authority. It would be a most unwise thing in the
"University to establish its new Code upon the basis
"of a doubtful power, and if we were unwise enough
"to attempt it, we certainly should not be permitted
"to do it."

He proceeds to suggest the principles and the method upon which the University might proceed in seeking external aid. But this subject we need not pursue at present. Under any supposition, indeed, for the alteration of any of her *Statutes*, the University needs no other license than that of the *Crown*. At present we will proceed to offer some suggestions respecting the Colleges.

c Evidence, pp. 441, 442. See also the Commissioners' Report, Appendix D. pp. 52—54.

THE COLLEGES.

I. STATUTES, AND OATHS.

It was not our province to consider the Recommendations of Her Majesty's Commissioners respecting the several Colleges, as so many separate corporate bodies, with their own laws and internal arrangements; nor even concerning the Colleges in general, except as to matters which either directly or indirectly affect the welfare or reputation of the University. We do not presume, accordingly, to offer any remark upon the 33rd, 34th, 35th, and 36th Recommendations; which would, respectively, prescribe certain limits to the annual value of Fellowships,—prevent the application of any funds, except those specifically given for the purpose, to the purchase of advowsons,—apply surplus funds to increase the number and value of Scholarships, providing also “that no Scholarships should be of less amount than 50*l.* a year,”—and in Colleges where there is more than one Foundation, place “all Fellows on the same footing, both as to rights and duties.” Nor shall we have any remark to offer upon the Recommendation touching the application to the several Societies of the principles embodied in the various recommendations, except so far as the suggestions we shall offer under other recommendations may apply to this.

But without exceeding the limits of the duty which you assigned to us, and which alone you had power to assign, we may very briefly offer some opinion upon the remaining Recommendations concerning the Colleges.

1. Thus we do not concur in one clause of the Commissioners' 30th Recommendation, viz. “that all oaths imposed by College Statutes should be prohibited as unlawful;” but we believe with them that “Declara-

1. *STATUTES
AND OATHS.*

Recoms. 33-36.

Recom. 46.

1. *Oaths.
Recom. 30.
Report, pp. 146
—148.*

"tions against change in Statutes are detrimental and "ought to be abolished." The two cases are clearly different. If Statutes are to last and be of use for many years, and especially if they enter into details, it will inevitably happen that changes will be requisite in order to adapt them to altered circumstances, or even to make them accord with the actual intentions of Founders. Declarations against change, therefore, cannot but become injurious, and we think they ought to be prohibited by the law of the land. But in a Society where laws are to be observed, and by those who are not under such a discipline as will enforce obedience by penalties or dismissal, the sanction of an oath is often useful or even necessary in order to their observance.

*Alterations of
Statutes.
Recom. 47.
Report, p. 148.*

2. And in accordance with their 47th Recommendation we are further of opinion that "the Head and Fellows "in each Society" should be empowered, under proper control, "to alter or abrogate Statutes, and to frame "new Statutes as occasion may require." We speak of course with reference to those cases in which the Colleges have not already sufficient powers for these purposes. And in these cases (and also, as will be mentioned below, with respect to *Trusts*) we think that the proposed changes should first have the concurrence of the Visitor; and should then, before they become law, be confirmed by a higher Court; which might consist of the Lord Chancellor, the Chancellor of the University, and the Lords Justices, or some other Judges of the superior Courts.

Some proper control of this nature having been provided, we do not conceive with the Commissioners that the Supreme Legislature need in any way attempt to regulate the changes which should be made. They do not think it necessary, indeed, that "the Legislature "itself should frame minute Codes for the several

“Societies.” But they appear to wish the Legislature “to lay down certain leading principles which would thus become part of the law of the land, and in all other matters to grant to each College, under such control as may be thought expedient, an unrestricted power of alteration for the future.” It will be sufficient, we apprehend, to provide in the first instance a proper control.

II. SCHOLARSHIPS.

1. With respect to *Trusts*, under which Scholarships or Exhibitions are established, we hold that the intention of the Founders should be primarily considered; but as in the case of Statutes, so likewise in this, we think, that Colleges should be empowered, under proper control, to alter the conditions of such Trusts, so as to make them more consistent in reality than, in consequence of altered circumstances, they may be at present, with the true spirit of the Founders’ intentions. Improvements, we apprehend, might be sometimes made, not in agreement with the letter of the Trusts, yet in accordance with their spirit, and we would not have the spirit of the Founders’ intentions set aside.

II. SCHOLARSHIPS.
Report, pp. 161,
162. 173—178.
1. *Changes in Trusts.*

2. Your Committee does not think, however, that eligibility to Scholarships should be limited to “the age of nineteen;” nor that “all Scholarships should be thrown open to Her Majesty’s subjects of whatever lineage or birthplace.” But they think that it is the duty of the Electors not to elect a person unfit in their judgment for the Scholarship; and that if in any case Founders shall have appeared to make the appointment absolute, without regard, that is to say, to the qualifications of the Candidate, power should be given to the Electors to reject an unfit Candidate, and to open the Scholarship under such circumstances to other Candidates not of the favoured locality or lineage.

2. *Qualifications and number of Scholars.*
Recom. 40.

With regard to the succeeding clause in the 40th Recommendation, "that in those Colleges which have "at present but few Scholarships, or a number not proportioned to their wealth or resources, the number "should be increased," we think it very possible that it might be of advantage both to some of the Colleges, and to the University at large, that the number of Scholarships in such Societies should be increased. But we regard it as a question for the separate Colleges to consider in what cases, or from what resources, and by what measures consistent with the intentions of their Founders and Benefactors, such increase of Scholarships should be made.

3. *Tenure of Scholarships.*
Recom. 41.

3. We do not think it desirable that according to the 41st Recommendation, the tenure of Scholarships and Exhibitions should be restricted to five years. The Master's degree would often be a better limit. But this question also should be referred to the several Societies, supposed to have power, under proper control, as above suggested, to modify their Statutes and Trusts.

But we concur with the Commissioners in the opinion that where Scholarships lead to Fellowships, they should not lead to Fellowships "without fresh "competition;" that is to say, without fresh examination and inquiry, for there may, possibly, be no Competitors. The Commissioners' Report, indeed, advances further than their Recommendation, advising that the existing connexion between Scholarships and Fellowships in various Societies should cease. We do not join with them

Report, pp. 162. in this suggestion.
 176.

III.

III. FELLOWSHIPS.

FELLOWSHIPS.

1. *Opening Fellowships.*

Recom. 31. Re-
 port, pp. 149—
 162.

1. We cannot assent to the 31st Recommendation, "That all Fellowships should be thrown open to all "Members of the University wherever born, provided

“ they have taken the Degree of Bachelor of Arts, and “ can produce a proper certificate of character.” We think indeed, that qualifications as to minor circumstances might sometimes be introduced under the power of altering Statutes which we have recommended above, such as might at once improve the present system and be consistent with the intentions of Founders. But we believe that in the Colleges generally there is a strong desire to reward merit, and elect to Fellowships upon sound and honest principles, and that there is a growing desire to open Fellowships to merit so far as the intentions of Founders permit. We do not wish, accordingly, for any interference on the part of the Legislature in order to open them further than would be allowable under the powers of altering Statutes, which, as we have already stated under the 47th Recommendation, we desire to have granted to the several Colleges (p. 92). We think, in short, as we observed with respect to Trusts, that improvements might be introduced which would be consistent with the spirit of the Founders’ intentions, although not in exact agreement with the letter of their Statutes, but we do not wish to have the spirit of those intentions set aside.

2. With respect to the various *restrictions on the tenure of Fellowships* noticed in the 32nd Recommendation, your Committee are not of opinion, “ That 2. Restrictions on the tenure of Fellowships. Recom. 32. Report, pp. 163—168. “ persons elected to Fellowships should be released “ from all restrictions on the tenure of their Fellowships arising from the obligation to enter into Holy Orders ;” but we apprehend that there may be cases in some Colleges in which it might be desirable that the present restrictions of this kind, as to the *time* at which the Fellows are required to enter into Holy Orders, or as to the *number out of the whole body of Fellows* who are under this obligation, should be re-

laxed, if such relaxation should appear to be consistent with the spirit of the Founders' intentions.

The question respecting "proceeding to Degrees in "the Faculties of Theology, Law, or Medicine," should be left we think to the Colleges whose Statutes impose such obligations. But we concur with the Commissioners in the opinion, "that it would be expedient to modify rather than remove the restriction arising from the possession of property." And we further think, "that celibacy should still continue to be "a necessary condition for holding Fellowships."

3. *Examinations
and Elections to
Fellowships.*
Report, pp. 168
—173.
Recom. 37.

3. The Committee do not consider that they need recommend such alterations for the election of Fellows and Scholars, as are suggested in the Commissioners' 37th Recommendation; the formation of certain Boards, namely, in the larger Colleges, the election being then to be "made by the suffrages of the whole Board, or "of the whole Society, as the case might be, and not "by nomination." We desire, moreover, to express our opinion that elections ought not to be determined solely "by the merits of the Candidates as tested by "Examination," but that consideration should be also paid to their circumstances, and to their moral and social worth.

Recom. 38.

Again, as to the peculiar qualifications of the Candidates for Fellowships, these, the Committee consider, may be well left to the judgment of the electors in the several Colleges. And we do not think it necessary that "Fellowships should be appropriated for the encouragement of the new Studies introduced into the "Academical System;" that is to say, that "a certain "number of Fellowships" should, as the Commissioners suggest in their 38th Recommendation, be, in the terms of the Evidence which they cite, "devoted specifically

Report, p. 173. "to certain branches of learning."

Nor do we think that the Visitatorial power should be increased, where it does not exist at present, for the purpose mentioned in the 39th Recommendation; that is to say, to enable the Visitor "to issue a Commission for the re-examination of candidates for Fellowships, on appeal from rejected candidates who can give *prima facie* evidence of higher merit than those who have been elected, and to reverse the decision of the electors." Not even as to intellectual merit, and much less as to moral qualifications, will "University distinctions prove beyond doubt" in any case, as the Commissioners appear to assume, "the superiority of the rejected candidates."

Recom. 39.

Report, pp. 169, 170.

4. The 42nd Recommendation opens with the general proposition, "That the College Revenues should be made to a certain extent available for the Education of the University." Upon which we may remark that as these Revenues do at present to a great extent assist the junior members of the several Colleges, so, we think, they might in some cases be made, by the Colleges themselves, further available to this purpose; as, e. g. by the Colleges contributing towards the foundation of Scholarships, or diminishing the payments for Tuition; and, possibly, in other ways, if Colleges were empowered to modify their Statutes and Trusts as we have already recommended under the 40th and 47th Recommendations. But with regard to the restoration or creation, and the endowment, of Professorships or Lectureships at particular Colleges, or the suppression of Fellowships to provide the required endowments, we do not consider it within our province to lay down rules for the separate Colleges. We have, indeed, observed before (p. 56), that "we could not

4. Professor-Fellows; and College Revenues.

Report, pp. 178—182.
Recom. 42.

“ recommend the appropriation of Fellowships to these purposes, in cases not provided for, as at Magdalen and Corpus Christi Colleges, by the Founders.”

Respecting the Lectureships established in these Colleges their Presidents have kindly supplied us with information, from which it appears that these Lectureships are still in existence, although Members of the University, other than the members of these Colleges respectively, do not at present take advantage of them. But we desire to state that if it were generally understood that there were such Lectureships at these Colleges, and the times of the Lectures were made known, it is not improbable that members of other Colleges would avail themselves of the benefit thus intended for them. It should be added, however, that subsequently to the entry of our Minute to this effect, Corpus Christi College, as your Board is well aware, has munificently offered an endowment for a Latin Professorship which may be founded upon a more enlarged basis.

Recom. 43.

In the recommendation that the Professors in the Colleges above referred to “ should not be elected by the College-Electors,” we can by no means concur. And still less in the suggestion, that the election of Professor-Fellows in any College should pass from the College to the Crown, if this at least is intended, as would appear to be the case by comparing with the 16th Recommendation the concluding words of the 43rd, “ that such Fellowships should follow the Professorships to which they may be respectively attached.”

IV. VISITORS
AND HEADS
OF COLLEGES.
Report, pp. 182
—184.
1. *Heads of Col-
leges.*
Recom. 44.

IV. VISITORS AND HEADS OF COLLEGES.

1. With respect to the election of *Heads of Colleges*, there seems to be no sufficient reason why it should not be left in each case as the several Founders directed.

2. Lastly, as to the 45th Recommendation, your Committee concur with the Commissioners in the opinion that if the *Visitors* have not power at present to originate a Visitation when not invited by the Society, they "should be empowered to visit their Colleges, and to correct abuses." But we do not concur in the remainder of this Recommendation, thinking the previous suggestion sufficient, and considering that it is not desirable to increase or control the functions of Visitors, or to interfere with the independence of Colleges, in the manner here recommended.

You will observe in the printed Evidence respecting the Colleges the Letter in which the venerable President of Magdalen, with his accustomed courtesy, informed us of the history and present state of the "Lectures in Divinity, and Moral and Natural Philosophy," established in that College, accompanied by a copy of the College Statute relative to them^c. The President of Corpus also, as has been already intimated, supplied us with similar information respecting the Lectures founded in his College. Both refer to the subsequent changes in the system of studies and instruction at Oxford, as sufficiently accounting for the absence of other members of the University from these College Lectures. The President of Corpus subjoins a strong protest against the extraordinary proposition of the Commissioners, who in place of "*two Fellows of C.C.C. elected by the Society*" to discharge certain duties under their Statutes, would have "*six Fellowships suspended to supply incomes for two Professors to be appointed by the Crown*"^d. But your Board is well aware from the munificent proposal lately made by this Society respecting a Latin Professorship, that there is no desire on

^c Evidence, pp. 345-348.

^d *ibid.* pp. 339, 340.

the part either of the President or the Fellows of Corpus to retain the appointment to it exclusively in their own hands. The Provost of Oriel College communicated to us various statements in detail concerning the Statutes of that Society and its Fellowships; the alterations lawfully made in the Statutes, and the utility of the oath to observe them; the number of Fellowships, the restrictions upon them, the use of close Fellowships, the obligation to take Holy Orders, and other similar subjects; these details being either likely to bear upon the state of other Colleges also, from which you might receive no accounts, or else intended to correct several inaccurate statements or inferences, or even unfounded charges, in the Commissioners' Report^e. Inaccuracies were, no doubt, to be expected in the completion of so large a work in a comparatively short space of time. And the Commissioners themselves offer an apology for "errors in detail," in their statements respecting the several Colleges, "especially where the Society

Report, p. 184. "declined to give them information." It had been better perhaps not to profess to supply information, and certainly not to introduce imputations upon any Society, upon mere hearsay evidence. And there are reflections, which might have been well spared, upon the Colleges in general, and upon the University, even in the short extract which we have reprinted from the conclusion of their Report; as when they express a hope that some of the Recommendations the University and the Colleges "may be induced to consider and to carry into effect of their own free choice; a hope which is strengthened by the fact that several important changes have been made since "Her Majesty's Commission was issued;" words which seem to imply that there had not been a continual suc-

^e Evidence, pp. 349—358.

cession of improvements carried into effect by the University and the Colleges during the last fifty years; or when they recommend, that "in case abuses in these Elections (of Heads of Colleges) should continue, provision to abate them should be made by an alteration in the mode of election;" implying that the existence of such abuses was not exceptional and rare. Too frequently they seem to see chiefly the dark side of human nature; but their suspicion of unworthy motives ordinarily influencing members of the University is assuredly not warranted by the habits and practice of this place. Report, pp. 259, 260

From several contributors of Evidence we have strong protests against the Commissioners' recommendations touching the suppression of Fellowships, the alienation of property, the opening Fellowships, the disruption of the connexion between Scholarships and Fellowships, and other departures from the Wills of Founders, as sometimes practically injurious, but generally of the nature of breaches of trust, of a very questionable or even immoral character, and leading to consequences highly dangerous, dangers indefinite indeed in extent and duration^f. Mr. Rickards on the other hand "strongly expresses his concurrence with "the spirit" of Recommendations 30 to 47, with some few specified exceptions or qualifications^g. Mr. Chapman "would remove every restriction (from Fellowships and Scholarships) which could be removed honestly, and give the widest interpretation to the Wills of Founders and Benefactors they were capable of bearing without violence; but of departing altogether from the intentions of Founders, he doubts the honesty." He quotes, amongst other things, the opinion of Judge Holt, as cited in Dr. Phillimore's Evi-

^f Evidence, pp. 255—257. 333—336. 392—394. ^g *ibid.* pp. 498.

dence, to the same effect. But still he believes, "that
 " if the spirit of the Founder's will were in every case
 " consulted, far greater latitude might often be allowed,
 " and Fellowships and Scholarships thrown open, with
 " the sanction of the Visitor, and perhaps that of the
 " Court of Chancery, to much wider competition^b." The
 Senior Proctor suggests four particulars in which he
 contends that restrictions might be legitimately qualified
 in consistency with the true spirit of the Founders'
 intentionsⁱ. Mr. Round, acknowledging with gratitude
 the signal advantages derived to the University and the
 country at large from the Colleges, their endowments,
 and the clerical superintendence of studies and discipline,
 offers various suggestions for their improvement,
 bearing some of them upon the questions here under
 consideration, but more frequently upon those internal
 arrangements which are scarcely within our province^k.
 But Professor Hussey, expressly discussing some of
 these Recommendations, states his objection to the
 34th respecting Advowsons, adding that, "Colleges
 " ought to be left to manage their own funds in this
 " particular;" and observes concerning the 37th, "*that*
 "*all elections should be determined by the merits of the*
 "*Candidates, as tested by Examination*, does not seem
 " the best mode, absolutely, of appointing to Fellow-
 " ships. Literary merit ought indeed always to be
 " required;" but, after stating other qualifications, he
 adds, "A system which would make Fellowships ob-
 " jects of ambition, as distinctions, coveted like prizes
 " for the sake of the honour, without regard to the
 " duties belonging to them, or the purposes which they
 " were designed to fulfil, is a direct abuse." And he
 proceeds to illustrate this proposition. But he enters

^h Evidence, pp. 455, 456.

ⁱ *ibid.* pp. 335—338.

^k *ibid.* pp. 472—489.

more fully into the subject of the 32nd Recommendation, stating, that "To remove all these restrictions (upon Fellowships) seems to be an unjustifiable interference with the intentions of Founders. It is something further also: it is one more" (referring to what he had said on the 10th Recommendation) "of those measures of which, if carried out, the effect would be (whatever might be intended by them) to separate the University from the Church, and eventually from the expressed profession of the Christian Faith." He goes on to instance the benefits arising from the existence of a number of persons in Holy Orders within the University, and the proof deducible from it "that the Colleges were designed primarily and above all other objects for the study and the diffusion of religious truth, in connexion with the English Church. Those persons," he proceeds, "who wish the University to be a scientific Lyceum governed by a literary Aristocracy freely open to all competitors in the pursuit of every kind of knowledge, will naturally see in this constitution only the *predominance* of the clerical order, and with this view, may propose to have it removed, either as being a restraint upon the progress of free inquiry, or in order that other branches of study may have a larger share of the advantages belonging to places in the University. And the Commissioners plainly condemn the whole body of the clergy, as less fit than other persons to have influence in the University. But if, as seems evident, the Foundations were with deliberate intention designed for the clergy, more than for others, as the most effectual means of furthering the main object of the Founders, sound Religion; to set aside the regulations on this head in the way proposed seems

Report, p. 85.

“ to be nothing less than alienating the Foundations
 “ from their original purpose.” He shews further that
 the University no less than the Colleges (although all
 these, as well as the University itself, are lay-corpora-
 tions) recognises and requires (as many things conspire
 to prove) “ a large amount of the clerical order among
 “ her members.” And, “ These things would never
 “ have been, if the University were merely a great
 “ corporate Literary and Scientific Association.” He
 is scarcely less opposed to the suggested relaxation
 from the obligation to take the higher Degrees; wishes
 the University not to remit (as recommended by the
 Commissioners) the customary residence of three weeks
 on the part of Bachelors, but to require from them a
bonâ fide attendance upon some course of Lectures;
 and earnestly presses for the restoration of the higher
 Degrees; regretting “ that the Commissioners have not
 “ turned their attention more to the means of making
 “ the ancient institutions of the University available
 “ for present good purposes.” In fine, in his opinion,
 “ these two measures are now the most important to
 “ the University, viz. 1. *The extension of the University.*
 “ 2. *The restoration of the Superior Degrees.* These,
 “ if effected, *would give the means of working out, most*
 “ *of the improvements required by the University.* They
 “ are *Constitutional*, and in *the power of the University*:
 “ they are ‘ building up,’ not ‘ pulling down;’ they are
 “ as capable of adaptation to the wants of the present
 “ day as any thing in the University; and they would
 “ be no greater innovation than the *Examination Sta-*
 “ *tute was for B. A. Degrees in 1807*¹. The Professor
 of Hebrew brings yet more arguments to bear against
 that portion of the 32nd Recommendation, which would
 release Fellows of Colleges from the obligation to enter

¹ Evidence, pp. 237-244.

into Holy Orders. He argues at length against each of the three reasons alleged for this proposal; (1) the temptation to receive Holy Orders from an unworthy motive; (2) the exclusion of persons whose calling might be to literary labours, but not to Holy Orders; (shewing that even now there are more Fellowships tenable and held by laymen, than are needed for literary ends;) and (3) the tendency of a predominance of Clergy to promote Theological Controversy; (exhibiting the greater prevalence of controversy where Laymen are teachers than in England.) But he goes on to shew the need of the Clergy as Tutors;—"the question really resolving itself into another, in whose hands the education of the future laity and Clergy of the country is to be, in those of the Clergy or of the laity:"—and to state reasons why the Clergy are, and will be, preferred as Teachers, and to point out the evil fruits which have followed, in Germany, the removal of the office of Education from the Clergy^m. Upon the 38th Recommendation also (respecting the appropriation of a certain number of Fellowships for the encouragement of the new Studies), the Professor has communicated many just observations and convincing reasons to prove that, "No good can result from this forcing system. It is worse than useless to put a person into a permanent situation, with no definite duties, simply to encourage him for some degree of proficiency in any branch of knowledge.—To a certain extent the existing foundations, if rightly filled, would furnish such encouragement." A fixed number of Fellowships assigned to certain studies, would, he shews, lead only to uncertain and capricious rewards from the mere uncertainty in the occurrence of vacancies. But as in the case of Mathematics, "a College

Report, pp. 163,
164.

^m Evidence, pp. 123-131.

“ which desires to keep its staff of teachers of Mathematics, and elects them, as opportunity offers, would secure better Mathematicians, than one which was constrained from time to time to fill up a Mathematical Fellowship,” so would it be with respect to other studies. “ But in truth, *the* encouragement needed at an early age is encouragement to persevere in diligent study, not a reward for the slight measure of knowledge, which one at that age may have attained.” These are very slight hints of the Professor’s line of argumentⁿ. Mr. Freeman has considered a greater number of the Recommendations concerning the Colleges; approving of some of them with qualifications, but disapproving of many more. He wishes, e. g. that there should be more Lay-Fellows, but yet would have the greater part take Holy Orders; thinks it advisable to have some Fellowships suppressed, in order to increase the funds for the payment of Professors, but strongly objects to make such Professors nominees of the Crown, and yet Fellows of the Colleges. But his communication abounds with acute and caustic remarks upon the proposed removal of restrictions from Fellowships and Scholarships, and the inconsistency observable in the suggested exceptions; the mistake in treating an examination as the best criterion of merit; and yet more in breaking up Collegiate ties and associations; upon the strange desire to regulate all things by uniform rules, when the diversities in different Colleges are of especial use and value; and upon the yet more strange desire, observable here and everywhere, to prostrate the Independence of the University before the Crown in name, but in fact before a Minister of Public Instruction, or the Prime Minister of the day^o.

ⁿ Evidence, pp. 131-135.

^o *ibid.* pp. 415-440.

In conclusion we need scarcely state that there are various matters of greater or less importance, connected with this extensive subject, some even suggested in the printed Evidence, which we have not attempted to consider. Thus,

CONCLUSION.
1. *Subjects omitted or deferred.*

(1.) In the accompanying Evidence Mr. Justice Coleridge desires not only that Lawyers should receive a preparatory instruction at Oxford in Roman and Municipal Law, but that an elementary study of Law should form a part of our course of general instruction, and be made compulsory on all, and necessary to a degree in Arts^p. No one will doubt that such instruction would be highly useful, provided there is time for it. But these are partly questions of time. The greater number of Students have not sufficient time during their short stay at the University for many studies which would otherwise be most desirable. And one study introduced may only set aside another. Thus "the increase of other Theological studies of late," we have been told, "has much diminished the study of Hebrew, because it has diminished the leisure of students^q."

(2.) The Professor of Chemistry has communicated to us some suggestions for amending the Statutes respecting attendance upon Professorial Lectures^r. There are certainly anomalies and inconsistencies in the existing regulations concerning the length of the different courses, and even the amount of fees for attendance upon Professorial Lectures, which require adjustment and correction.

The Professor also suggests the expediency of having a general Schedule of the Courses of Professorial Lectures proposed to be given in each Term, published by

^p Evidence, pp. 499-502. ^q *ibid.* p. 133. ^r *ibid.* pp. 397-399.

authority at the commencement of the Term ; according to the scheme which was sketched by the late lamented Mr. Strickland, after the plan long since adopted in the foreign Universities, and lately at Cambridge.

(3.) Mr. Tristram has also stated reasons why the University should confer the degree of D.C.L. at an earlier period^s. This is a question easily resolved ; but it suggests a more serious and extensive inquiry. For,

(4.) The whole subject of the Superior Degrees requires consideration. The Commissioners despair of making them any thing more than titles to designate Academical standing. But you have already given efficiency to the Exercises and requirements for Degrees in Medicine ; and you have improved those in Law. Practically, however, nothing is required, (at least by the University, for Colleges may have useful regulations of their own on the subject,) for the Degree of Master of Arts, beyond a residence of three weeks' duration. In the Evidence, it has been suggested not that this residence should be discontinued, which is the Commissioners' Recommendation, but that something at least should be required besides mere residence. And it is noted that whilst the Exercises for a Degree in Music are efficient, the Statutes concerning Degrees in Theology are left unaltered and unimproved ; the New Theological Statute having been framed under an expectation of external encouragement, and with no reference to Academical Degrees^t.

(5.) With the preceding subject the whole matter of Dispensations is very closely connected, and it plainly requires investigation. Dispensations have their use whilst they remedy occasional inconveniences, and even whilst they mark some Statutable requirements which indicate the aim of the University at a higher standard

Report, pp. 84,
85.

^s Evidence, pp. 401-403. ^t *ibid.* pp. 239-243, 244-247, 358-362.

of qualification than is usually in fact attained. But they should scarcely be continued year after year without any practical discrimination of circumstances, and when all hope of restoring the desired standard, or the old requirements as to residence or exercises, has been actually abandoned.

(6) The subject of Fees has been already noted as demanding full inquiry with a view to correction and improvement; and indeed your Board has appointed a Committee to make this inquiry.

(7) So likewise has the entire Statute "*De Judiciis*" been noted before as a proper subject for specific investigation; and it is one which will require the aid of persons conversant with the Civil and with Common Law.

(8) And, not to advert to more particulars, it is sufficiently obvious that if improvements are to be made in these matters, and in those which have been adverted to in this Report, it will involve a reconsideration not of this Statute alone, but of almost all the existing University Statutes.

2. With reference to the improvements which may be made under any of the preceding heads, as well as to most of those which are touched upon in this Report, you require only changes in the Statutes of the University. And as in many cases the University, without question, has an independent power to make or alter Statutes, so in all other cases in which that power is doubted or disputable, no other extrinsic aid is necessary besides that of the Crown. And no fear surely need be entertained of your readily obtaining full powers from the Crown for this purpose, to whatever extent they may be required.

2. Subjects noticed; and means for effecting improvements.

If it should be deemed requisite to make some of

the other changes which we have indicated as desirable, involving alterations in Trusts or Wills, then the aid of Parliament may be also needed. We have before referred you to some specific Evidence upon this point^u. But it may not be necessary that more than a short Enabling Act should be obtained from the Legislature, empowering the University to consider and propose such changes, subject to the confirmation of a Superior Court. And this Court might be the same, or of like nature, (the Visitors excepted,) with that which has been already suggested under the 40th and 47th Recommendations to sanction alterations in the Trusts or Statutes of the Colleges. (Suprà, pp. 92, 93.)

As to the limits within which our own inquiries have been confined, it appeared to your Committee the most practical method to consider, and report to you upon, the "Chief Recommendations" of Her Majesty's Commissioners, as they are presented in the Summary with which their Report concludes. We have seldom adverted, accordingly, to the other recommendations which occur in the Report itself, to which, it may be presumed, they attached only a subordinate importance. Nor have we attempted to present any analysis of the Evidence published by the Commissioners, nor of the reasons by which they have supported their Recommendations. We had not time or space for so large a work. We have been content to refer to the Report itself. Practically also it seemed scarcely requisite to detail the reasons in every instance which determined our own conclusions. Familiar as you are with many of the subjects under discussion, and agitated as they have been of late in various quarters, you would easily divine in most cases the

^u Evidence, pp. 441-444.

arguments by which we were influenced. And indeed the notices we have frequently supplied of the arguments in the accompanying Evidence, will themselves for the most part suggest sufficient hints of the reasons for or against the propositions we were appointed to examine. Certainly there are very considerate and experienced persons who believe that if the Recommendations of the Commissioners were to be adopted as a whole, they would not merely effect a complete Revolution in the system of this University, but a Revolution fraught with the most disastrous consequences to our Discipline, Studies, and Education, and even to Religion itself. We are persuaded that the aims and objects of the Commissioners were the very reverse of this. We do not doubt that both they and all the other members of the University who have taken part in the late discussions, have only aimed at the substantial improvement of our noble Institutions. And if we have been at all successful, in this imperfect sketch of so large a subject, in selecting or suggesting such Recommendations as may appear to you calculated to improve our system, they will all unite with your Board, we are well assured, in the endeavour to carry them into effect, with the most sincere desire to promote Sound Learning and Religious Education, and with these, we may venture to add, to do service to the Church and the Country.

51, 1

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EVIDENCE.

EVIDENCE.



CONTENTS.

THE REV. DR. PUSEY, REGIUS PROFESSOR OF HEBREW,
CANON OF CHRIST CHURCH.

COLLEGIATE AND PROFESSORIAL SYSTEM. Inadequacy of the latter for intellectual, moral, or religious training. Lectures, inferior books; do not discipline the mind. Professorial System not productive of good books. Ill effects of Professorial System in Germany. No check to religious controversy. Evils of disuse of Colleges and Halls in France and Germany. These observations bearing on Recommendations II. III. X. XII—XVII.	pp. 1—64.
RECOMMENDATION X. Mistakes in the inquiry; and in data. Expense in Halls; in lodgings; whether Oxford System shall be assimilated to Continental. Proposed plan, perilous. College services. Extension of University. "Affiliated Halls." "Poor Students." Party spirit. "Independent Halls." Licensed Halls under a M. A. Lodgings in Tutor's or Professor's house	pp. 64—89.
III. Superintendence of studies by Professors. Reasons against the proposal	pp. 89—93.
XII. XIII. Devotion of latter part of academical course to special study, sufficiently allowed now. Best authorities, in Law, Medicine, Divinity, against abridging general academical study. Present religious study suited to <i>all</i> . Objections against separate School of Theology for first Degree	pp. 93—111.
XIV. XVII. Assistant Professors, really Tutors: might be married Fellows of Colleges	pp. 111—113.
XVI. Objections against appointments of Professors by the Crown, and by proposed Congregation. Charges against nominations by Convocation unfounded. If Professorships founded in Colleges,	

should be filled up by the Colleges. Appointments by resident members of Convocation	pp. 114—123.
XXXII. Proposed abolition of obligation of Fellows to take Orders—not advisable on any of the three grounds alleged. More Lay-Fellows now than needed for literary labours. More controversy where Laymen are teachers than in England. Need of Clergy as Tutors. Fruits of removal of Education into lay hands	pp. 123—131.
XXXVIII. Reasons against the forcing system of appropriating Fellowships to the encouragement of new studies. pp. 131—135.	
II. Proposed “Congregation.” Its <i>sole</i> initiative. Professorial element predominant. Benefits of an intermediate body between Hebdomadal Board and Convocation. Inconveniences of existing Constitution. Proposed Intermediate body. Comparison between this plan and others. Amendments in Convocation undesirable	pp. 135—156.
TENDENCY OF RECOMMENDATIONS to place the University in the hands of the Prime Minister	pp. 156—158.
IV. VETO UPON APPOINTMENT OF VICE-CHANCELLOR; why desirable.....	pp. 158, 159.
V. VETO OF THE PROCTORS; and Proctors’ Functions. pp. 160—162.	
RECOMMENDATION VI. Promissory oaths useful	p. 162.
VII. Advantages of distinction between Fellow-Commoners and Commoners	pp. 162—164.
VIII. Restrictions upon credit desirable. Debts how begun; by whom increased. Moral grounds the chief check. pp. 164—167.	
XI. Matriculation examination, by the University, desirable; but private, and with exceptions.....	pp. 167—169.
XX. Examinations should take place in Term time. pp. 169, 170.	
XXII. XXIII. Inconvenience of books being taken out of Bodleian Library. Convenience of present arrangement. Transfer of Physical books to the Radcliffe inadvisable ..	pp. 170—172.
CONCLUSION	pp. 172, 173.

THE REV. OSBORNE GORDON, B. D. CENSOR OF CH. CH.

RECOMMENDATION I. Indemnity desirable, if any doubt as to power of University to alter Laudian Code.....	p. 175.
II. Proposed “Congregation” not desirable. Some change wanted in relations between Convocation and Hebdomadal Board. Two	

plans ; Delegacy of Convocation with power of initiation ; and Delegates of Convocation added to Hebdomadal Board. Committee for amendments	pp. 175—180.
III. Standing Delegacies with executive functions approved ; but not for supervision of Studies	p. 180.
IV. Absolute nomination of Vice-Chancellor approved	p. 180.
V. Present tenure of Proctors' office, and their rights, to be retained	p. 180.
VI. Promissory oaths ditto	p. 181.
VII. Reasons against abolishing distinctions of rank ; except in the case of Degrees	pp. 181—185.
VIII. Debt and extravagance. Difficulties as to the remedies	p. 185.
IX. Recommendation approved	p. 185.
X. <i>University Extension</i> . Reasons against admitting members of the University, unconnected with any College or Hall—in favour of Affiliated Halls—against the erection of Independent Halls, except at the cost of private persons—against permitting members of Colleges and Halls (except in peculiar cases) to live in private lodgings. Demand for University Extension exaggerated	pp. 185—199.
XI. <i>Studies</i> . Reasons against a public Examination before Matriculation	pp. 199—201.
XII. Not expedient to extend the Students' present liberty of devoting themselves to special studies	pp. 202—204.
XIII. Report differs from Recommendation. Oriental Languages. Reasons against a separate Theological School ; and Boards of Professors	pp. 204—206.
XIV. XV. XVI. XVII. <i>Professorial System</i> . The system so called never existed. Three different notions embodied in the term "Professor." Professorial teaching unsuited to ordinary men. Lecturers wanted. On the appointment of Professors	pp. 206—214.
XVIII. XIX. XX. Ecclesiastical divisions of the year not to be ignored. Suggestions respecting the times for holding the Examinations	pp. 214—216.
XXII. XXIII. XXIV. Public Libraries to be managed by Committees ; not of Professors exclusively	p. 216.
XXV. New Museum desirable	p. 216.
XXVI. XXVII. XXVIII. XXIX. Recommendations approved ; except as to Contributions by the University to public purposes	pp. 216, 217.

THE REV. ROBERT HUSSEY, B. D. REGIUS PROFESSOR
OF ECCLESIASTICAL HISTORY.

RECOMMENDATION I. Disapproved	p. 219.
II. Objections to "remodelled Congregation;" its functions and constitution. Delegacies suggested for initiating and digesting measures	pp. 219—223.
IV. Assent of Convocation should be asked to appointment of Vice-Chancellor	p. 223.
V. Suggested Changes in Proctors' office, and their appointment, the reverse of improvements. But Proctors need not adjudge Prizes; and need not enter office together.	pp. 223—225.
VI. Promissory oaths might well be dispensed with	pp. 225, 226.
VII. Reasons against the abolition of distinctions of rank; except as to the charge for Tuition.	pp. 226—228.
VIII. Proposed check on credit very desirable	p. 228.
IX. Cost of proceedings in Vice-Chancellor's Court not to be increased	p. 228.
X. <i>University Extension</i> . Recommendation that there should be members of the University unconnected with a College or Hall, examined in connexion with the Report, and shown to be dangerous and inadmissible. Other matters recommended highly desirable. University extension to be provided for by new Colleges or Halls, or, (most easily,) by licensed lodging-houses connected with Colleges	pp. 228—234.
XI. Reasons against a public Examination before Matriculation	pp. 234, 235.
XII. Undergraduates should follow prescribed course of study.	p. 235.
XIII. (and XVI.) Objections to proposed Boards of Professors	pp. 235, 236.
XVIII. Principle of Fees approved	p. 236.
XXII. Modifications proposed as to the recommendations under No. 22	p. 236.
XXV. A great Museum desirable, but not at present. Greater accommodation the more pressing want	p. 237.
XXVII. XXVIII. XXIX. Recommendations sound and good.	p. 287.
XXXII. To release Fellows of Colleges from obligation to take Orders contrary to spirit of Foundations and dangerous to Reli-	

gion. <i>Restoration of the Superior Degrees</i> one of the two measures most needed and important	pp. 237—243.
XXXIV. Recommendation why objectionable	p. 243.
XXXVII. Objections to determining the election of Fellows solely by Examination	pp. 243, 244.
Additional observations. 1. On the New Theological Statute, and its actual good effects. Disadvantages of Theological Examinations. 2. On the appointments to Studentships at Christ Church.	pp. 244—248.

THE REV. RICHARD MUCKLESTON, TUTOR AND VICE-PROVOST OF WORCESTER COLLEGE.

RECOMMENDATION I. Approved. Legality of Laudian Code a matter of uncertainty which should be cleared up	p. 249.
II. III. Initiative should not be confined to Heads of Houses. Some Masters of Arts should be added to Hebdomadal Board. Recommendations of Commissioners gives inordinate power to Professors	pp. 249, 250.
IV. Appointment of Vice-Chancellor on principle of rotation. Heads of Halls to be eligible	p. 250.
V. Proctors should hold office for two years. Cycle should be remodelled. Proctors should appoint Examiners, but should not retain the Veto	pp. 250, 251.
VI. Desirable to abolish unnecessary oaths	p. 251.
VII. Distinctions of rank beneficial in various ways, and to be retained.	p. 251.
VIII. IX. Suggestions respecting debts and credit, judicious.	p. 252.
X. The admission of Students unconnected with any College or Hall, adverse to discipline, economy, and the moral and religious well-being of the University. Private Halls less objectionable.	pp. 252, 24.
XI. Reasons against a Public Examination before Matriculation.	p. 254.
XII. to XVIII. Propositions calculated to sacrifice the Tutorial system to the Professorial, and much to be deprecated. Means for supporting proposed Professorial system unscrupulous and immoral. Need of distinct institutions for study of Law and Medicine.	pp. 254, 255.
XIX. to XXIX. Recommendations generally desirable, except No. 28.	

Examinations might take place in the Christmas and Easter Vacations, not in the Long Vacation	p. 255.
XXX. to XLV. Propositions designed to render Colleges more efficient; but questionable as to principle, and some of them would be practically injurious	pp. 255—257.
General objections to the principle and tendencies of the Commissioners' plan as a whole	pp. 257, 258.

THE REV. F. MEYRICK, M.A., FELLOW, JUNIOR BURSAR,
AND ASSISTANT TUTOR OF TRINITY COLLEGE.

- I. *University Extension.* The system of "Unattached Students" most objectionable on Academical, Economical, Moral, and Religious grounds. Reply to the arguments of the Commissioners in its favour. University Extension desirable and necessary. Four methods of furthering it. All to be adopted. The plan of "Affiliated Halls" the best pp. 259—270.
 - II. *University Government.* Present Constitution defective. Plan of Commissioners objectionable. Writer's suggestion. Superiority of the first of two plans suggested by the Tutors. . . pp. 270—275.
 - III. *University Studies.* i. Professorial and Tutorial systems compared. Commissioners' Scheme, its nature and tendency; based upon evidence not expressing the sense of the University. Warning to be taken from fate of University of Leipzig. Professorial system should be supplemental to Tutorial. Suggestions for combining them. Sub-Professors disapproved. Appointments better intrusted to Convocation than to the Crown. ii. Nomination of Examiners. Present system works well. Proctors well appointed. Nomination of Examiners by proposed boards why most objectionable pp. 275—295.
-

THE REV. C. MARRIOTT, B.D., FELLOW OF ORIEL
COLLEGE.

- RECOMMENDATION II. *The initiative power.* Altered circumstances of the University. Its independence to be preserved by a greater freedom of initiating measures, and that introduced from within. Plan of Tutors' Association. Plan of the writer. Amendments

- in Convocation inexpedient. Resolutions to be put to the vote. Delegacy of studies. Remodelled Congregation objectionable. pp. 297—303.
- III. *Standing Delegacy for supervision of Studies* should not consist only of Professors pp. 303, 304.
- V. *Proctors* might hold office for two years; should be appointed by a Cycle; and with all their present powers, including the Veto p. 304.
- VI. *Oaths*; to be retained. p. 305.
- VII. *Distinctions of ranks*; why useful p. 306.
- X. *University Extension*. Reference to *vivd voce* Evidence, (in favour of Halls for poor Scholars having all meals in common; and of Students, whether Members of Colleges or not, lodging, with licensed Masters of Arts,) to Reports of Tutors' Association, and to letter published in 1848. Private Halls should be aggregated under a Head pp. 305, 306.
- XI. *Public Examination at Matriculation*; questionable. Suggestions for remedying difficulties, if it were thought necessary. pp. 306, 307.
- XII. *Special Studies*. Reasons why the Undergraduate period should be occupied mainly with General Education, . . . pp. 307, 308.
- XIII. XIV. *Professoriate*. Reference to Reports of Tutors' Association p. 308.
- XXII. *Bodleian Library*; should still have its Curators; might have Reading-Room; might lend Duplicates . . . pp. 308, 309.

EDWARD A. FREEMAN, ESQ., LATE FELLOW, AND RHETORICAL LECTURER OF TRINITY COLLEGE.

RECOMMENDATIONS, NOS. II. III. V. XVI. Objections to the Commissioners' proposed "Congregation" and standing Delegacies for supervision of studies and appointment of Examiners, as conflicting with Academic and Constitutional liberty. Heads of the Writer's scheme of Reform pp. 311—323.

THE REV. DR. BANDINEL, BODLEY'S LIBRARIAN.

I. MANAGEMENT OF THE LIBRARY BY PROFESSORS, detrimental p. 325.

- II. INCREASED FACILITY FOR READING; not to be promoted by lending books out of the Library. Two plans for a Reading-Room pp. 325, 326.
- III. INTERNAL ARRANGEMENT. Evidence incorrect. Hours of access. Present, and proposed Staff pp. 326—328.
- Tabular statement respecting Foreign Libraries. p. 329.
-

THE REV. D. P. CHASE, SENIOR PROCTOR, FELLOW OF
ORIEL, VICE-PRINCIPAL OF ST. MARY HALL.

Constitution of the University. Members of Convocation, under certain specified restrictions, to have power to propose amendments. (For Initiative, reference to Report of Tutors' Association.) *University Extension*, to be promoted by extending the utility of Foundations in conformity with the *spirit* of Founders' intentions; in close Colleges; and in Schools . . . pp. 331—338.

THE REV. DR. NORRIS, PRESIDENT OF CORPUS CHRISTI
COLLEGE.

Account of Public Lectures founded in Corpus Christi College; offices kept up; may be applied again to University purposes. Protest against the suspension of six Fellowships, and appointment of two Professors by the Crown pp. 339, 340.

THE REV. C. P. CHRETIEN, REV. R. CONGREVE, AND
NINE OTHER MEMBERS OF CONVOCATION.

- RECOMMENDATIONS II. III. Plan of the Commissioners approved with a slight modification pp. 342, 343.
- X. University Extension to be promoted by Academical and Collegiate improvements; together with permission granted to Undergraduates (ultimately, according to some, immediately, in the opinion of others,) to live in Affiliated and Independent Halls, and in lodgings unconnected with Colleges. . pp. 343, 344.
- XVI. Approved with a modification. p. 344.
- XIV. Modes of endowing Professorships. p. 344.

THE REV. DR. ROUTH, PRESIDENT OF MAGDALEN
COLLEGE.

Usage at Magdalen College respecting the Public Lectures in
Divinity, Moral and Natural Philosophy p. 345.
Copy of the Statute, DE OFFICIIS LECTORUM, ET EORUM ELEC-
TIONE pp. 345—348.

THE REV. DR. HAWKINS, PROVOST OF ORIEL COLLEGE.

I. ORIEL COLLEGE. 1. *Statutes*. Power of Alteration given by
the Founder. Statutes avoid details. Oath to observe Statutes,
expedient pp. 349—352.
2. *Fellowships*. Some Fellows properly required to take Orders.
Number of Fellows increased with new benefactions. Local
restrictions not useless, and not evaded. Why Fellowships
should not be converted into Scholarships pp. 352—358.
II. SCHOOL OF THEOLOGY. Failure of the Examination, not a
failure of the system. Actual number of the Students. Ap-
pointment to Dean Ireland's Professorship pp. 358—363.
III. GENERAL RECOMMENDATIONS. 1. *University Statutes*.
How far independent power of alteration desirable. Power of
University, without consent of the Crown, to alter Laudian
Statutes, doubtful pp. 363—365.
2. *Constitution and Functions of Hebdomadal Board*. Board a
kind of standing Delegacy. Its actual working: amount of
Legislation from 1800 to 1853. Want of communication be-
tween the Board and other members of Convocation. Proposed
"Congregation." pp. 365—371.
Memorandum submitted to Hebdomadal Board in 1836, "On the
doubt respecting the independent power of the University to
repeal Laudian Statutes." pp. 372—379.

THE REV. DR. COTTON, PROVOST OF WORCESTER COLLEGE,
VICE-CHANCELLOR.

Process of University Reform. Singleness of action necessary.
Reform in the Constitution. Two boards, each possessing the
power of originating legislative measures pp. 381—384.

<i>University Extension.</i> Objections to scheme of Unattached Students. Plan of affiliated Halls the best. Permission for Members of Colleges to lodge with Masters of Arts ..	pp. 384—388.
Oaths for definite objects to be retained	pp. 388, 389.
Objections to a public Examination for Matriculation. But Colleges should certify that the Candidate for admission has been received after examination	pp. 389, 390.
Distinctions in rank to be retained or not at the discretion of the separate Colleges	p. 391.
Tutorial and Professorial instruction to be combined.	pp. 391, 392.
<i>Colleges.</i> Changes opposed to Founders' wills, immoral in principle, and most dangerous in their consequences. How changes may be made in accordance with the mind of Founders.	pp. 392—394.
Close Fellowships and Scholarships. Evils of <i>Dissociation</i> .	p. 394.

DR. DAUBENY, FELLOW OF MAGDALEN COLLEGE; PROFESSOR OF CHEMISTRY AND BOTANY.

Suggestions for amending the Statutes respecting attendance upon Professorial Lectures	pp. 397—399.
--	--------------

THOMAS HUTCHINSON TRISTRAM, ESQ., B.C.L. LINCOLN COLLEGE

Reasons for conferring the degree of D. C. L. at an earlier period	pp. 401—403.
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THE REV. EDWARD ARTHUR LITTON, M.A. VICE-PRINCIPAL OF ST. EDMUND HALL, LATE FELLOW OF ORIEL COLLEGE.

RECOMMENDATION XII. Preparation of Candidates for Holy Orders supposed to be defective at the Universities. Demand for Diocesan Colleges. Their defects and disadvantages. Compulsory attendance on Professors' Lectures not to be required.	
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Degree of B.A. to be granted to Divinity Students in a distinct School. The new System demands too much from ordinary minds. They should be emancipated from the necessity of passing the School of *Literæ Humaniores*. Stimulus hence to be given to Professorial instruction; and encouragement to assistant Professors or Lecturers in Theology pp. 405—414.

EDWARD A. FREEMAN, ESQ., LATE FELLOW AND RHETORICAL LECTURER OF TRINITY COLLEGE.

- RECOMMENDATION XXXI. Advantage of diversities in different Colleges; not to be destroyed without evil proved. Specific objections to proposed removal of restrictions as to place of birth; and of preference given to Scholars; and to Clergymen, M.A.'s, &c.; and to exclusion of Undergraduates, and Members of other Universities. Inconsistency in retaining restrictions at St. John's and New College. Particular cases . . pp. 415—423.
- XXXII. Desirable that there should be more Lay-Fellows; but the greater part should take Orders. No need to remove the obligation to take higher Degrees pp. 423—425.
- XXXVII. An Examination not the best criterion of merit. Fellowships should not be mere prizes pp. 425—427.
- XL. Scholarships should not be opened indiscriminately. Scholarships not to be mere prizes; primarily intended for maintenance. Proposed limitation of age an evil . . . pp. 427—430.
- XLI. Not all Scholarships to be limited to five years' duration: should lead to Fellowships not without fresh *election*, but without *competition* with all Candidates. Many more than twenty-two Fellowships at Oxford open pp. 430—432.
- XLII. XLIII. Advisable to suppress Fellowships, wherewith to pay Professors; but to make such Professors nominees of the Crown and Fellows of the Colleges most objectionable. . . pp. 432—437.
- XLIV. Evils attending present elections to Headships of Colleges. Transfer of appointments to the Crown would be worse pp. 437—439.
- XLV. Visitation power should be increased: but not connected with the Crown. Dangers threatened to independence and self-government pp. 439—440.

CHARLES NEATE, ESQ., M. A. FELLOW OF ORIEL
COLLEGE.

On the mode of effecting changes in the Constitution of the University. Reasons for resorting to external authority. Principles upon which it should be sought. Plan suggested. pp. 441—444.

THE REV. J. M. CHAPMAN, M. A. FORMERLY FELLOW
AND TUTOR OF BALLIOL COLLEGE.

Principles of Reform. Three points in which Oxford should remain unchanged. 1. It should be exclusively a Church of England University pp. 445, 446.

2. Theological and Classical Studies indispensable qualifications for degree of B.A. pp. 446—450.

RECOMMENDATION X. 3. Members of the University to be always admitted members of some College or Hall, on religious and moral grounds. *University Extension*. "Affiliated Halls" the best plan pp. 450—453.

Professorial Lectures, to be combined with Collegiate. pp. 453, 454.

XI. Examination at Matriculation should be conducted by Colleges, not by the University pp. 454, 455.

XXXI—XL. Restrictions upon Scholarships and Fellowships to be removed, so far as honesty will allow pp. 455, 456.

Residence and attendance on Lectures after degree of B.A.

pp. 456, 457.

VII. Distinction of ranks how far desirable p. 457.

VIII. Expenses. Private Tutors pp. 457, 458.

Tenure of Fellowships should not be abridged p. 458.

V. New cycle of Proctors desirable. Proctors should appoint Examiners; need not adjudge Prizes: should not retain the Veto pp. 458, 459.

II. Reasons for retaining the present Hebdomadal Board. Objections to proposed Congregation. Its probable effects.

pp. 459—461.

THE REV. JAMES T. ROUND, B. D. FORMERLY FELLOW
AND TUTOR OF BALLIOL COLLEGE.

I. CONSTITUTION AND GOVERNMENT of the University. Amount

- of evidence against the present Constitution. Some objections to Hebdomadal Board answered. Communication between the Board and Members of Convocation pp. 463—466.
- PROCTORS, their appointment and functions pp. 466, 467.
2. THE PROFESSORIAL. Theology and its connexion with learning and science. Need of new Professorships, and increased endowments. Means to be derived from taxes; fees; the Colleges; the Legislature; private Benefactors. How to be employed. Appropriation of Lay-Fellowships. Appointment of Professors pp. 467—472.
3. COLLEGES. Their advantages for Discipline and Education. Clerical Fellows. Domestic superintendence. Collegiate endowments, Tutors and Pupils. Remedies for defects in the Collegiate system. Expenses, how to be reduced. Open Scholarships. Restrictions upon Fellowships; upon Scholarships. Exhibitions. Additions to Colleges pp. 472—489.
4. STUDIES. Scriptures. Classics, their advantages. Natural History, Mathematics. Revived Disputations. Province of the University to give a General Education; but after degree of B.A. the elements of a Professional Education. pp. 489—495.
-

GEORGE K. RICKARDS, ESQ., M. A. FORMERLY MICHEL
FELLOW OF QUEEN'S COLLEGE, PROFESSOR OF POLITICAL
ECONOMY.

RECOMMENDATIONS I—V. No opinion expressed. VI. Promissory obligations objectionable. VII. Abolition of distinction of ranks desirable. VIII. IX. Recommendations judicious and equitable. X—XIII. No opinion expressed. XIV. XV. Approved. XVI. Professors should be appointed by the Congregation, not by the Crown. XVII. XVIII. XXI. Approved. XIX. XX. XXII—XXIX. No opinion given. XXX—XXXVIII. Spirit of these Recommendations greatly approved. XXXIX. Doubtful. Appeals should not be made to a less competent tribunal. XL—XLIII. Recommendations judicious and salutary. XLIV. Rule of freedom of Election perhaps carried too far. XLV. XLVI. Approved. XLVII. Principle approved; but what limitations required, a matter for grave consideration. pp. 497, 498.

MR. JUSTICE COLERIDGE, M. A. FORMERLY FELLOW OF
EXETER COLLEGE.

What kind and amount of Legal Instruction Oxford should afford.

Not complete instruction, but most useful preparation ; in Roman and in Municipal Law. Academical course ought not to be abridged. Constitutional Law to be taught more completely. General Students might study Law better in Oxford than in London. Elementary study of Law to be compulsory on all ; and necessary to degree in Arts. Lawyers should be educated at the Universities pp. 499—502.

EVIDENCE.

*From the Rev. E. B. Pusey, D.D., Regius Professor
of Hebrew and Canon of Ch. Ch.*

MY DEAR MR. VICE-CHANCELLOR,

BEFORE I enter into any of the details of the Recommendations of Her Majesty's Commissioners, upon which you have invited me, together with others, to offer my opinion, it may perhaps be best to advert to the great question which pervades the whole Report, Whether the education given by the University shall be Collegiate or Professorial, whether (which is in fact the same) it shall be for the formation of the mind, or for the imparting of knowledge. I believe that a yet deeper question is really involved in this, Whether the instruction shall be imparted by the laity, of any religious opinions or creed, or by the clergy of the church. Her Majesty's Commissioners of course intended, as they say, that both systems should go on together, and that the Collegiate system should be continued, as subordinate, initiatory to, and leavened by, the Professorial. My conviction is, that the tendency of their Recommendations would be to destroy the Collegiate system, and with it the solid formation of minds, prepared to apply themselves with sound judgment to whatever subjects they may afterwards be engaged in.

*Rev. Dr.
Pusey.*

The contrast
of the Profes-
sorial and
Collegiate
systems.

2. What I mean by this contrast of the Collegiate and Professorial systems has already, I see, been clearly explained in the Evidence itself^a. By the Collegiate system I mean, that by which the mind of the young man is brought into direct

Meaning of
the terms as
here used.

^a Evidence of the Rev. Mark Pattison, pp. 24—48.

Rev. Dr. Pusey. contact with the mind of his instructor: outwardly, in the way of discipline; morally, by advice and instruction; intellectually, by the catechetical form of imparting knowledge, wherein the mind of the young man, having been previously employed upon some solid text-book, has its thoughts corrected, expanded, developed, enlarged by one of maturer mind and thought, who also brings to bear on the subject knowledge and reflection which the pupil cannot be presupposed to have. By the Professorial system I mean, one in which the Professor is himself, in fact, the living book, and imparts knowledge, original and instructive, but still wholly from without, to the mind of his pupil. These two systems may indeed be more or less modified, but still the catechetical method (which is akin to the Socratic) will, in the main, be the characteristic of the Collegiate system, while the delivered lectures of the Professor are almost of necessity confined to the imparting of knowledge from without. If Professors individually adopt thoughtful text-books, they are so far acting upon the other system, still with the exception that the system itself of necessity excludes the eliciting the mind of the pupil, and leaves it altogether to the option of the student, whether he will employ his own labour upon his text-book, or whether he will trust to gather what superficial knowledge he can, from the delivered comments of the Professor. This last (as far as I learnt) was the common practice of the German students, even when the book was Holy Scripture.

Adoption of text-books by Professors, a mitigation only of its disadvantages.

Text-books in Germany, not commonly subjects of previous study.

3. In the lectures delivered by the Professor, they listened to his translation of the book and his comments upon it, but did not previously give their minds to it. I was at the time astonished to find how ignorant of Hebrew even a diligent German student could remain, after having attended several such courses. What was heard with so little exertion, did not even keep up the knowledge of the language gained at the Gymnasia.

4. In order to prevent misunderstanding, I may say in the outset, that in speaking of the Catechetical and Professorial systems, I am speaking of those studies which involve continued *reasoning*, or *study*, as of languages; not of those physical sciences, which are confined to the reception of *information* as

Physical sciences not included in these remarks.

to matters of fact, or which require the aid of the eye, as in experiments, anatomical demonstrations, or the like. But on this very ground that those studies do to the general student convey *information* only, however improving or interesting that knowledge may be, (as especially of physiology,) they have not, I believe, any where been made a subject of general study. In Germany, I have understood that the study of physical science is more exclusively professional than among ourselves.

5. It has been customary with the advocates of the Professorial system to represent it, as *the* old University system, and the present Collegiate system as an innovation upon it, and a deterioration of it. This view appears more or less in this present Report. But those who urge this, forget that the Professorial system dates from a time before the invention of printing, or when books were scarce, or difficult of access or possession, and oral teaching was almost the exclusive mode of conveying knowledge, and the two elements of instruction and information of the mind were, of necessity, to be combined in it. The poverty of the German students, again, has probably been one ground why the system of *delivering* lectures has been perpetuated.

Delivered lectures, originally, on account of paucity of books.

6. The art of printing, and still more the power of multiplying literature cheaply, supersedes the necessity of such a channel for conveying information.

7. The oral lectures of the Professor are, if taken down in shorthand, a book. They are, sometimes, the material and basis of books, although not of the most solid works, if he should himself print them, or if (as has been the case in Germany) they should be published, as taken down from his delivery. But they must, of necessity, be, in his earlier years, inferior, in any case, to what he himself would write, when his thoughts shall be more matured. When Professors are multiplied, their lectures must, in very many cases, be inferior to many or most books which actually exist. The mistake on this head has been, that people contrast their own ideal of a Professor, such as from time to time arise, persons who advance any given study, with the ordinary or perhaps commonplace instructor in the same study. They forget that this very knowledge is, in great measure, condensed in books, and that

Lectures of Professors are in fact books.

Mostly inferior books.

Source of the mistake.

Rev. Dr. Pusey. the Professor of one generation is (if he ever condenses and embodies his thoughts) a book of the next.

Study of thoughtful books, aided by catechetical instruction, far the most beneficial.

8. But, every way, I believe that more good is gained by the thoughtful study of deeper books, in which the mind of the student is aided by a maturer mind, than by oral delivery of ordinary lectures. There can, I believe, be no comparison between the good derived from the study of Aristotle's *Ethics*, or some of Plato's *Dialogues*, or Butler's *Analogy*, under the guidance of one who has thoughtfully studied these works, and others which bear upon them, and the hearing of any lectures *delivered* upon the same subject.

Original minds, and so valuable books, few.

9. This seems to me, if people would give their attention to it, almost self-evident. Original minds are few in all successive generations. Aristotle and Plato, raised up by God's Providence in heathen Greece, have formed the minds of Christian Europe. Aristotle was again the former of Arabic Philosophy. The human mind is what it was in the time of Plato or Aristotle. The comparison is not between ordinary minds of ancient and modern times, but between the two most intellectual minds of intellectual Greece, those whom the consent of all posterity has selected out of all her philosophers, illustrated by any knowledge on the subject, or any thought which the teacher may possess, and the *delivered* lectures of average Professors. There can be no question between the study of an original thinker such as these, or again bishop Butler, whose slighter or obscurer words are not placed without meaning, and lectures delivered even by Professors of more than average ability. This holds equally of other sciences. There is a freshness about great original works, which opens trains of thought such as no secondary work can supply. The matter of Thucydides or Tacitus could be, and has been, re-produced by modern writers on ancient history. No one would think of comparing their power in invigorating the mind. Demosthenes would teach eloquence far more than any *lectures* on eloquence, and Aristotle puts together more thoughtful observations on human nature than would be found in ordinary books of rhetoric. Justinian, as embodying the original and condensed wisdom of the practical Roman mind, would be far more instructive than any ordinary lectures on Roman law. Eusebius, incorporating as he

The best books of the past plainly better than average lectures.

Freshness of the great original works of the past.

does, original documents, would be far more improving than even fair ecclesiastical histories. As it is an exceeding waste of time to read second-rate books and compilations, so it would be a very great loss to listen to inferior or average Professors, instead of studying deep books.

*Rev. Dr.
Pusey.*

10. But, besides this inferiority of the lectures of ordinary Professors to books already existing, there is a far greater evil on the part of the student himself. The communication of any mere *knowledge* to the mind of our students is altogether a secondary object. Until very lately the studies at Oxford and Cambridge were altogether distinct. The one was almost wholly Classical, the other exclusively Mathematical. Yet, whether as to Theology, Medicine, Law or Politics, minds were formed alike by both, which attained to high eminence; and if it may be said that acuteness is rather formed by mathematical study, solid judgment by the ancient Greek and Latin literature and philosophy, still this presupposes that those studies which are now combined in both Universities, have (as they certainly have) their own distinct effects in forming the mind, apart from the actual *information* which they convey. It may be that in his later years a person may have wholly forgotten how to work out problems in Mathematics, or may have only an indistinct recollection of Aristotle's Ethics. The powers of mind, whatever they may be, which have thus been strengthened, remain. The building stands, when the scaffolding has been removed. The *formation* of the mind, not the *information* conveyed, is the main object of education. It has often seemed to students above twenty-one, a waste of valuable time to be employed on Ancient History, Philosophy, Logic, Criticism, Composition, when they longed to be employed upon the studies of their future lives. It did to myself also. But, on looking back, they have felt that the years so employed were expended far more profitably than if they had been engaged in direct professional study. Our early education is the tempering of an instrument for future use. Whatever its capacity, the longer the time employed in preparing it, the better it is adapted for any later service.

Discipline of the mind, not actual amount of knowledge, the main object of education.

Discipline of mind remains, even when the knowledge is forgotten.

11. But the object of lectures orally delivered is simply to convey information. They pre-suppose that the mind is

Lectures orally delivered con-

Rev. Dr. Pusey. already formed. The mind is simply a recipient. It digests, at most, at some subsequent time (if it ever does) what it then receives. For the time, its faculties are mainly employed in grasping and remembering what is imparted to it. It can only, at most, and that on the easiest points, exercise a rapid judgment, in passing, on what is proposed to it. If the lecture be new to the hearer, or at all taxes his powers, all his efforts are employed in retaining a portion of it. He has not (as in the case of catechetical teaching) to compare any thoughts which he may have formed, with those of a maturer mind. The mind is passive, not active. But this, in itself, involves a very inferior exercise of the intellect. The mind is, at most, stored, not sharpened nor enlarged. The process is, in a very inferior degree, the same as in mastering a text-book. Not only is the text-book very inferior, but the mind, from the unbroken flow of the delivery, cannot pause on what is more difficult or more important. If any thing is not mastered at the moment, it is lost. There is no time for reflection. If the mind pauses to reflect, it loses what follows. The difference of the intellectual benefit between the cursory attendance upon a *delivered* lecture, on the one hand, and, on the other, that repeated and renewed effort and strain of mind in considering again and again the more thoughtful passages of a solid book, then surveying the argument as a whole, and then again pausing upon its more solid and weighty parts, or again its minuter excellencies, or its abstruser points, will be estimated by any one who will reflect upon the process at any time in his own mind. It is incalculable. Even in this respect the lectures of Professors are, as a study, inferior to their written books. Nay, the more valuable the lectures are, and the more they contain, the greater is the loss that they are simply lectures. The *student* works over, again and again, every more difficult or important passage of the author who is the subject of his study. The *hearer* bears away with him not the matter of the lecture, but his own first impression of it. He has nothing else to fall back upon. It has, I suppose, not been unusual for more diligent English hearers to hear a second time any course of lectures, in which they were much interested, in order to supply what had been lost in the first hearing. But even this circuitous process, in

very information, do not discipline the mind.

The mind is stored, not sharpened.

Hearing a lecture very inferior discipline to study of a good book.

Benefit of repeated study lost.

which a person hears the whole course a second time, in order to obtain more accurately some more important or abstract matter, which after all he hears in the same fleeting manner as before, is far inferior to the repeated study of the same solid book. The labour of appropriating the easier parts of a book is less than that of sustained attention to a *delivered* lecture, because the eye takes in the whole sentence at once, which, when delivered, it hears gradually. But the mind is thereby the more free and fresh for harder study of whatever is more difficult.

12. This holds equally, whatever be the subject-matter of the study, if only it involves any course of reasoning. It applies alike to Theology, Metaphysics, Morals, Logic, History, Jurisprudence, Philology, Rhetoric, Grammar, Mathematics. In all alike, the discipline of previous study is lost, and the stretch of mind in working out by itself, and mastering, in whatever degree it may, the more difficult parts of the study; and that employment of the mind, increased or relaxed in proportion to the importance or difficulty of the point to be solved. There is lost again the power of repeated and matured consideration of the same weighty words or important passages. The comparison of the thoughts previously formed by the student with the matured mind of the teacher, and the healthful exercise of his own understanding, even in correcting, if it be so, crude or half-formed thoughts by aid of a more disciplined mind, is wholly lost.

Rev. Dr. Pusey.

All science which involves reasoning, is best taught catechetically.

13. It has been on this ground, I believe, that the Theological Professors in Oxford, after the example given by the very thoughtful and powerful mind of bishop Lloyd, have employed themselves chiefly in catechetical lectures, whether the subject has been doctrinal theology, the interpretation of Holy Scripture, or Ecclesiastical History. The course of lectures *delivered* by the Regius Professor of Divinity has, since that time, always, I believe, been the least part of his employment. It has also been contracted to the shortest possible space. As much information is condensed into twelve lectures as the Professor's skill can contrive. But attendance upon them being required by the bishops, the number of lectures was, many years past, reduced to twelve, and these were, for some time at least, delivered consecutively in a

On this ground Catechetical instruction chiefly adopted by Theological Professors.

Rev. Dr. Pusey. fortnight, in order to meet the supposed necessities or convenience of the students.

The object of *delivering* lectures, to interest persons in a neglected study not solid knowledge.

14. If I may speak of myself, I have, on this ground, given catechetical lectures on the Old Testament, not because higher criticism cannot in detail be orally imparted, or, if so imparted, retained; but because I was satisfied that students would enter more solidly into the meaning of the Prophets or the Psalms, if they themselves were required previously to reflect upon them. I believe that, as to the meaning either of single difficult words or idioms, or of whole verses or portions of Holy Scripture, those who have most reflected upon them will most benefit from the teaching of any one who has long made them his study. If at any time, I have taken or shall take the other method of *delivering* lectures, it has been or, please God, will be, in order to interest more young men in the study and draw them to it by showing to those unacquainted with Hebrew, the value of the study or the deeper meaning of Holy Scripture, not as supposing that solid knowledge would thereby be gained. The object of such lectures would be rather to direct their attention to a study which is neglected and undervalued, than really to instruct them in it. It would be to remedy a temporary neglect, or rather to induce some to seek instruction, as the spies brought back the bunches of grapes, not to satisfy the Israelites, but to show the richness of the promised land.

Object of the Professor of Sanscrit's inaugural lecture.

15. I have preferred, in the main, to instruct solidly a small class from eighteen to seven or eight, to delivering lectures before a class of eighty. The Report refers to some delivered lectures of the Professor of Sanscrit^b as having been attended by numerous audiences. His inaugural lecture was stored with that knowledge of his subject which he himself so largely possesses. It was, if I recollect right, chiefly on Sanscrit as connected with the Greek language. It was, of course, interesting to those who did not before know the fact of that connection, and exhibited the value of Sanscrit in the province of comparative philology; it left a pleasing impression upon the hearers, and interested some in the study of Sanscrit. Such was naturally its object. But to those

^b P. 93.

who understood no Sanscrit it could not convey any real knowledge, except the one naked fact.

*Rev. Dr.
Pusey.*

16. This impression as to the relative value of Catechetical and Professorial teaching has been corroborated by reflection on what I myself witnessed during eighteen months in which, when between twenty-five and twenty-seven, I was residing chiefly at leading German Universities, Göttingen, Berlin, and Bonn. The two last of these were at that time the most favourable specimens of German Universities, and had the soundest teaching in Protestant Germany. Having, when I first went, recently taken my M. A. degree, and attending lectures, both in the Oriental languages^c, and for the sake of becoming acquainted with the state of their sacred criticism and theology, I was thrown among both classes, the students and the Professors. Some of the Professors with whom I became intimate, were among the most distinguished in Germany.

The above confirmed by observation at German Universities.

17. I was, then, much struck with the entire dependence of the student upon the Professor. I inquired, as I was instructed, (in the year 1825, when I was sent, very few in Oxford besides myself, I believe, were acquainted with the language,) about their commentaries on Holy Scripture, especially on St. Paul, and their standard books in theology, and I had to send answer that there was nothing. Whatever there had been in the previous centuries was swept away. No account was then taken of any book, except what had been published in the last twenty-five years. No book, written before that period, was to be found in Berlin, except in one obscure little shop; at Göttingen or Bonn, none; nor were they ordinarily to be obtained, except in one great "Antiquarian" shop at Leipzig, or occasionally at auctions. Rumours had then reached

Entire dependence of the student on the Professor.

Past Theological literature effaced.

^c The lectures in the Oriental dialects which I received were "privatissima." In the Oriental dialects, which are less studied, this sort of lecture is given by the regular Professor. It consists in reading some author with the Professor, like our College lectures. The Professor, in fact, becomes a "private tutor." Those which I received in Arabic were from the two first Arabic scholars in Germany, Prof. Kosegarten and chiefly Prof. Freytag. I mention this, lest the very fact of going abroad for Oriental lectures might seem to disparage our own. Dr. Nicoll was at that time one of the first Arabic scholars in Europe; but one could not have, then, a first rate Arabic scholar as a private tutor in Oxford.

Rev. Dr. Pusey. England of some unknown amount of sacred criticism in Germany; but when I came to ask the more thoughtful of them, it was owned that there was next to nothing. Yet the system of Professorial lectures in Theology had been going on since the Reformation; year by year, lectures had been given in all the different chairs of Germany; but wave had followed wave, and all had disappeared. I recollect the mutual surprise when the more thoughtful among them learnt from me, that in England we studied chiefly old books, and I learnt from them that they used none. If they asked of me how we studied Theology, they were surprised to hear of standard, solid writers of the seventeenth and eighteenth centuries, as Hooker or Bull, Butler or Pearson, and they said, "That is something beautiful." It was to me, at that time, something strange and mournful, that they had no past.

Professorial system had not produced lasting books.

18. Certainly, to speak of Theology, if, as has been said^d, part of the value of the Professorial system is to produce books, it was a total failure. For there had been none which survived.

Students simply recipients.

19. The student, then, was cast wholly upon the living Professor. His mind, like the paper which was to embody the substance of what he heard, was a *tabula rasa*, upon which the Professor was to write what he willed. The students came to the lectures with no previous ideas on the subject. They selected commonly, at their own will, both the University and Professor whom they should attend. They migrated from University to University at their own pleasure. Their store of learning lay in the accumulating folios of paper, in which they took down the dictation of the Professors. They had as many books as they had attended lectures of Professors. The more diligent were employed in the evening in arranging what they had heard in the day. But I heard from even thoughtful students, that there was no time for reflection. What they heard was new to them. They took it down, with a view to the subsequent examination; but they had no time to digest it then. The whirl of hearing lectures, sometimes on heterogeneous subjects, left neither leisure nor quiet of mind. One very thoughtful Professor, at least, said to me: "The best student is he who attends fewest Lec-

Best students, who heard

tures." I may be allowed to extract an important statement of Chancellor Niemeyer, quoted by Mr. Pattison^e, on this same subject. "Our *industrious* students are those who spend from five to seven hours a day in *listening*, and then writing down what they have heard; under a pressure of labour fatal to intellectual vigour or discernment. The impression made one hour is obliterated by some totally different subject presented the next. As to any thought on the subject lectured on, any essay or original composition, those are things with which none but the select few concern themselves. The number who frequent Scholastic classes or repetitions is few. They float with the stream which carries them away to prælections, the very name of which is frequently beyond their comprehension, and a youth of shallow parts and uncultivated understanding finds himself listening to subjects which the wisest of his companions is scarcely competent to digest."

Rev. Dr. Pusey.

fewest lectures.

20. The very office of the student was simply to receive. The very employment of the whole body of students was simply to take down notes of what was slowly delivered, as fully and as clearly as each could. One might hear, at once, 300 pens taking down, as far as each could, the *ipsissima verba* of the Professor. The student could hardly exercise judgment on what he received. He had to begin to take it down, before he fully knew what the tenor of the sentence would be. If he paused to reflect, it was too late. And yet, in this way, the student was plunged, in the earlier times since the Reformation, in all the controversies between the Lutheran and reformed bodies; in some later times, it was even well when he had his choice between a Rationalist or one approaching to Rationalism and a believer. Thus unprepared, the students expected each Professor to tell them exactly his opinion upon every new hypothesis on the subject of which he was treating. Any reserve upon the subject (whether it were suited to their age or amount of knowledge or no) forfeited his reputation in their eyes and their confidence: and his lectures were thinly attended or deserted.

No time for exercise of judgment.

Yet the subject often demanded the maturest.

21. On the other hand, with regard to the Professors themselves, it is, of course, good that there should be offices of leisure for the promotion of theological and other learning.

Professor's office not the best calculated to promote learning.

^e Evid. p. 48.

Rev. Dr. Pusey. But this is not best promoted by the oral delivery of lectures, which is set forth as the office of the Professor. It was promoted among ourselves formerly through our Collegiate and Cathedral institutions, as well through the Fellowships as the Headships. The works thus produced have been more solid and lasting than any in Germany. They have stood the test of time. The translation of the Bible in its present form is the fruit of the same institutions.

Our own
Theological
learning Col-
legiate or
Cathedral.

Long Colle-
giate resi-
dence at the
Universities
the basis of
our Theology.

22. The residence in our Universities was formerly very long, and when works were not produced here, the foundations of solid study were here laid, which were built upon in later life, as a senior Fellow, a head of a College, or member of a Cathedral. To take some instances, out of 100 which I have given elsewhere, from the time of the Reformation; Dean Colet resided at the University 22 years; Cranmer, 26; Ridley, 17; Parker, 14; Nowell, 22; Sandys, 12; Grindall, 17; Jewell, 19; Whitgift, 19; Hooker, 17; Bancroft, 13; J. Reynolds (a translator of the Bible) 32; Boys (also a chief translator) 22; Davenant, 27; Laud, 21; Dr. Jackson, 28; Usher, 24; Hales, 16; Sanderson, 18; Pococke, 12 (besides his studies in the East); Hammond, 15; Castell, many years; Whitaker, Mede, Barlow, Fell, Hyde, Aldrich, Hudson never left. I may, on the same subject, (since the book to which I refer has long been out of print,) repeat an enumeration which I made long ago, of the Divines whose works are owing to our Cathedral and Collegiate institutions.

Enumeration
of English
Cathedral
divines.

23. On opening Willis' History of the Cathedrals^f, before the year 1728, when the account closes, there occur in the Cathedral of Christ Church alone, the names of Hammond, Sanderson, Gastrell, South, Smalridge, Samuel and John Fell, Aldrich, Archbishop Wake, Archbishop Potter, Allestree, Owen, Pococke, Tanner, and Hyde. Among the deans of Peterborough again, are Jackson [on the Creed], Cosin [Scholastical History of the Canon], Simon Patrick, and Kidder; among the canons, Lively (one who was most depended upon in the present translation of the Bible), and Thomas Greaves, an eminent Professor of Arabic in this place. In Ely, further, we find Bentley, among the archdeacons; among the prebendaries, Archbishop Parker, Whitgift, Bishop Pearson,

^f Benefits of Cathedral Institutions, p. 104-6. ed. 2.

Spencer, Lightfoot. Among the prebendaries of Canterbury, *Rev. Dr.* again, we find Ridley, Alexander Nowell, Samuel Parker, *Pusey.* Tillotson, Stillingfleet, Castell [Polyglot Bible and Lexicon], Beveridge, Mill [Gr. Test., &c.]; (besides that it gave refuge to Isaac Vossius, the Casaubons, Saravia, the friend of Hooker and Whitgift, and one of the translators of our Bible).

24. Besides these, among members of Cathedrals, (I mention such names as occur, many I have omitted), were Chillingworth, Bull, Waterland, Cudworth, Archbishop Laud, Bp. Andrews, P. Heylin, Dean Barlow, Bp. Bilson, Hales (of Eton), Bp. Gibson, Reynolds, and in a corresponding situation in the Irish Church, Archbishop Usher, as in later times Dean Graves and Archbishop Magee; B. Walton [Polyglot Bible], Fox [Acts and Monuments], Bramhall, Atterbury, Allix, Bishop Butler, H. Prideaux, Shuckford, Bishop Hall, Bishop Conybeare, Bishop Newton, William Lloyd (bishop of St. Asaph), Bishop and Dean Chandler, the Sherlocks, the Lowths, Bishop Hare, Dean Comber, Bishop Wilkins, Cave, Outram, Mangey, Jenkin, Derham, Biscoe, Chapman [Eusebius], Balguy, Whitby, Bullock, Warburton, Zach. Pearce, Bishop Fleetwood, Horsley, Horbery, Kennicott, Randolph, Holmes [LXX], Dean Milner, &c.—So that with the exception of Bingham, who says of himself, ‘I reckon it not the least part of my happiness, that Providence having removed me from the University, where the best supplies of learning are to be had, placed me in such a station as gives me opportunity to make use of so good a library (Winchester), though not so perfect as I should wish;’—with this, and the exception of those who were heads of Colleges, as Barrow, or constantly resided at them, as Mede or Hody, it would be difficult to name many authors of elaborate or learned works, who were not members of Chapters.

25. I believe then, as I said, that the delivery of written lectures is not the best immediate basis for books to be published, and that the Professorship has no advantage for the promotion of learning above any other sort of learned leisure. On the contrary, I believe, that in all, except the physical sciences, (in which new instruments or new modes of analysis open new facts,) the idea of promoting his science is likely to be rather detrimental than beneficial to the Professor.

Professorship has no advantage in promoting science;

to aim at it, injurious to Professor.

*Rev. Dr.
Pusey.*

Superior
books pro-
duce of supe-
rior minds.

Professorial
works repre-
sent average
talent.

Great works
called forth
by great oc-
casions.

Text-books,
not great
works, mul-
tiplied by
Professorship

Origin of the
mistake.

But works of
Professors
not the result
of the Pro-
fessorship.

26. It is, I believe, wholly a mistake to think that superior books will be any result of Professorial lectures. Superior books will be the work of superior minds, in whatever way those minds be set in motion. Such minds are ordinarily few in any generation. The outward occasion does not produce or form the mind, but only gives to it its particular direction. At times, there are greater workings and impulses, and stronger energies are called forth. The particular form in which that energy may be developed, may be determined by accidental circumstances; but the mere outward circumstances will not supply the energy. Professorial lectures, if the professors are numerous and well selected, may represent the average amount of talent or energy; they will not give rise to it. The great books of any time are those which are called forth by the consciousness that there is some great work to be done. A great man does not sit down to work, out of some intellectual notion of advancing his science or department. His mind is stored and has reflected already; and he applies himself to throw what he knows into shape, when he sees a cause. He produces, not because he holds a Professorship, or Prebend, or Headship; but, holding any of these, he, having leisure, produces, because he sees some work to be done for which God has fitted him. Text-books may be multiplied by the increase of Professors; but such as the minds of the Professors are, such will be the books. Common-place minds will, of course, produce common-place books.

27. Simple and self-evident as all this is, it is continually overlooked by the advocates of the Professorial system. They form to themselves the ideal of some Professor as, (in different lines,) Niebuhr, or De Sacy, or Bopp, or Gesenius, persons who advance the general knowledge of the subject, or, in secular matters, strike out new lines of thought. And this they picture to themselves as the average character of the Professor, the natural result of the Professorial system. But, in truth, many superior men will not ordinarily be found at once; and those very men would find scope enough for themselves, whether engaged in Professorships or no.

28. Ordinarily too, the very works by which they benefit their times, will be the result rather of the private working of their minds in quiet hours, than directly, of their Professorships. People, in their theories as to their ideal Professor,

combine two incompatible things, that he shall, in his lectures, *Rev. Dr.* act upon large classes, and that through those same lectures *Pusey.* whereby he acts upon them, he shall advance the deeper knowledge of his subject.

29. Now, the very object of the Professor who *delivers* lectures is, or ought to be, to give solid instruction to his class on the body of his subject, not to go off to those lesser points, in which mainly knowledge has to be enlarged. The great principles of any subject which has long been studied, have been known long ago. They are these, and not the lesser or finer questions, by which the mind of a student has to be improved. Detailed criticism, exhibition of proof by which such points are to be made out, would only distract the student from those which are his main business. It would be, as has been said, like sticking a number of lights in corners of a room, in lieu of one great central light. A student would, on such points, gain a superficial knowledge of some results, which would elate most young minds, as though they knew more than those before them; but while this, in itself, would be a real injury to the mind, it would also be at the cost of more solid knowledge. It is part of our nature to exaggerate the importance of any thing new to us. We must all, all our lives through, make our selection of what we would know, what knowledge we must give up. Much more must this be the case with the student. He has not yet grasped the common and more improving stock of knowledge in any subject. To take him off from that old but substantial study, to those points upon which the Professor is supposed to be extending the bounds of the existing knowledge, would be to employ him upon the fretted work of the battlements, before he has laid the foundation. The ordinary stock of knowledge which the Professor can communicate is the first and fitting discipline of the student's mind. To suppose him engaged on those more recondite points, which it is, on their theory, to be the Professor's office to expand, is to suppose him to have actually mastered the whole mass of knowledge which the Professor has, during many years of labour, been acquiring. It is e. g. a fitting study for a Professor—not as a Professor, but as a Divine—to inquire into the authorship of questioned works, whether St. Hippolytus, or Caius, or Novatian were

Lectures to large classes not calculated to advance knowledge.

Solid instruction belongs to the body of the subjects already known.

Points on which knowledge has to be advanced premature for the student.

Superficial and elating.

The branches before the trunk.

Instances.

Rev. Dr. Pusey. the author of a given work ; or to settle between the Greek text, and the Syriac and Armenian versions of St. Ignatius. It would be absurd that a student in Ecclesiastical History should be occupied in such questions, instead of its broad and acknowledged facts. Even Bishop Bull's *Defensio Fidei Nicæne*, although so solid and on doctrine most important, would not have been a good course of lectures.

Lectures to large classes the supposed desideratum.

Such lectures must be popular, or useless to the majority.

Disadvantages imputed to Collegiate system belong equally to the Professorial.

30. One leading complaint in the Evidence and Report is the paucity of attendance upon the Professors' lectures. It is held, then, to be an object that they should have large classes. But if the Professor have a large class, then, on any subject which really requires thought, he must make his choice, either to lecture popularly for the many, or to be understood by few only, whether he lecture to few or to many. A large class must necessarily comprise minds of very unequal powers, cultivation, apprehension, quickness, memory, knowledge. If this gifted Professor adapt himself to the higher, he will be unintelligible to the lower capacities ; if he adapt himself to the lower, he must needs spend more or less time upon points, on which, to the higher, it would be needless to dwell. St. Augustine, even in his sermons on any difficult subject, frequently has occasion to exhort the more intelligent to wait patiently for the slower. Precisely the same weariness which one, whose Evidence is inserted in the Reports, represents as belonging to attendance on a College class composed of persons not so advanced as himself, must take place in large classes under any system. The fault does not belong to the system, but to the largeness of the class and the inequality of attainments. In a large unequal class, to whichever the lecturer adapts himself, the highest or the lowest, or the average, whether the lecture be Tutorial or Professorial, the difficulty must remain. Either the one class hears what it knows already, or the other is not taught what it ought to be taught. The difference is like that of reading a book aloud or by oneself. In reading it alone, the eye glances over what it already knows ; if it is read aloud, all must hear all alike, whether already familiar or no. I have felt this myself both in studying and in teaching. If any one has more time for a study than others have, whether the lecture be Tutorial

or Professorial, time must needs be lost except in small classes. In small classes, the very questions of one pupil may be instructive to another. In a large class, the more diligent or more advanced must, during much of the lecture, hear what he already knows. On this account, with the view of classifying students according to their proficiency, whereas the Statutes contemplate one stated lecture twice in the week for all Bachelors of Arts and Masters in the first year, I have divided the Hebrew classes into three, leaving the two more elementary classes in the hands of a deputy. I could thus presuppose that those who came to my own lectures knew all the ordinary rules and principles of Hebrew grammar, and I had only, as occasion offered, to explain the niceties of idiom, or less usual forms or constructions, or the full force perhaps of some of the more common.

Rev. Dr. Pusey.
Benefit of small classes.

31. In the more popular classes, when I have *delivered* lectures to those of unequal attainments, I found that I was continually obliged to strike a balance, as it were, sometimes consulting for the one class, sometimes for the other, but in the main popularising criticisms, in order that the interest of those who could not enter into their details might not flag, hoping to make up in the smaller class for what was passed over in the larger.

Disadvantages of large, because unequal classes.

32. I have ventured again to instance my own lectures, because the question relates to our own studies and lectures. But the whole question is very broad. In certain cases books have been printed from lectures delivered. The Theological lectures of Baumgarten formerly, and the Historical lectures of Niebuhr could, from the mode of the delivery, be taken down by the student with such minuteness, that they could be published with various readings. This mode of lecturing would either exclude the repetition of the lectures, or the lectures would become the mere reading of a book, or at best, as it were, of different editions of the same book. But then what is spoken of as a special advantage of the Professorial lecture, the interest in the lecture which it creates in himself, would be gone. In a word, as soon as the lectures were perfected as far as they could be, it would be much better that they should be printed, not delivered, because as printed books they could be studied more thoughtfully. But, in fact, if the

Professors' *delivered* lectures, if fit for printing, inferior to a book.

Rev. Dr. Pusey. benefit of the hearers were (as it ought to be) the main object of the lecture, most subjects probably would not admit of that sort of treatment, that the delivered lecture should be the printed book. And this on the ground which I have said, that the lecture ought to be adapted to the average ability and understanding of the class, not to that of the few. In a word, a solid and condensed book (to instance again bishop Butler) would not be adapted to the mass of students. The very large majority would carry very little away with them; most, a general impression only. A good deal of water must be mingled with the strong wine to make it healthful for most capacities. The highest sort of book may be the basis of a lecture, it cannot be its very substance.

What would make the best books could not be profitably delivered to mixed classes.

Office of teaching no aid to the Professor.

Good Professor does not need excitement of a class.

33. I doubt, myself, whether as to this object of advancing the knowledge of the subject, the time occupied in the delivery of lectures is not loss to the Professor. The office of teaching is one thing, the office of advancing a science or study is another. A Professor who would be likely to produce any thing worth reading, would not be dependent upon the adscititious interest of a class^b. Whether his mind be original, or whether he combine, reproduce, recreate, modify, correct, enlarge, apply, what already exists, his real interest must be that he has that to communicate which may in some way be to the glory of God through the benefit of his fellow men. The class-room is but a small representative of the larger class which the press lays open to him. Millions read the English language, many more will read it. Apart then from the question of improving the individual minds, a solid thinker can never need the stimulant of an audience, to listen to him for an hour, when he may write, if he have the power, for generations. Such a stimulant could never have produced the works of our great Divines. They could not be what they are, if they could have needed or been actuated by it. The impulse which produces any thing great must, whether religious or moral, itself be great.

34. The measure of the value of what the Professor, according to his abilities, produces, will be the amount of thought and research (as the case may be) which he employs. His study, not his lecture-room, is his workshop. The office of

^b Report, p. 96, 7.

instructing others is, at an early stage, useful, because it gives the young man habits of clearing up his own thoughts, and speaking simply and intelligibly what he knows, so as to reach the minds of others. A person really knows just so much as he can produce. Early catechetical lecturing gives a more definite shape to knowledge. Being carried on in question and answer, and enabling the pupil, not at the close only, but throughout the lecture, to put questions in return, this sort of lecturing compels the lecturer to clear his own knowledge to himself, in order that he may make it clear to his pupil. In books or delivered lectures, imperfect, or vague, indistinct, half-knowledge may be sheltered under the cover of generalities. It cannot in catechetical instruction. At an earlier stage, the same study which prepares for his lectures, prepares also for any larger work which he may contemplate. At a later stage, and in his maturest years, this preparation is of course completed. The office of public lecturer then ceases to be useful to the Professor. His lectures are prepared. The gain to him *then* arises from the time which he can command, over and above that spent in the delivery of his lectures, or in recalling vividly to his own mind what he already knows. If in any case the Professor were led on, it would be when he became again the private Tutor in a very limited class of very advanced pupils. I have known such a case, where an eminent Arabic Professor in Germany has worked on with some one or two pupils, who were giving themselves exclusively to the study.

Rev. Dr. Pusey.

Early imparting of knowledge clears the teacher's mind.

It ceases to be useful to the Professor.

His leisure, not his lectures, benefit him.

Small advanced class may benefit Professor in some cases.

35. But such an occasion of increasing knowledge does not occur in ordinary lecturing. As far as the lecture is really oral, not from written papers, it is fleeting, remembered or noted down, for the most part, imperfectly by pupils, forgotten by the Professor himself. A very able Professor of Divinity at Bonn said to a pupil, that he wished he had himself such notes of his own lectures as his pupil had taken down. The Professor was one who thought much for his lectures, did not put down his own thoughts, but delivered them very slowly in order that the class might take them down. But mostly, they are taken down badly, and if published, are published badly. The commentaries of Morus on the New Testament were so published from the hefts of stu-

Oral lectures forgotten by the Professor and so useless to him.

Instance.

Rev. Dr. Pusey. dents, and it is acknowledged that they do him injustice. In a word, the Professor either delivers his thoughts unwritten, and then they are fleeting, and can hardly be accurately embodied; or he has them already written, and then the delivery of them is of no use to himself. The time which their delivery occupies would be for him, in either case, better employed in embodying his own thoughts, or in carrying on his work further.

Written lectures already finished and then their delivery useless.

Instance.

36. The Report instances with satisfaction the good attendance on the lectures of the late Dr. Arnold. "Inⁱ still more recent times, the name and character of Dr. Arnold attracted several hundred students." Dr. Arnold himself assigns his reason for objecting to the rules habitually given by the Secretary of State to the Regius Professor of Modern History. "If^k I were resident altogether and had nothing to do with Rugby, twenty lectures a year, if they are to be such as a Professor of History in Oxford ought to give, cannot be prepared in a year. I could give fifty, on the other hand, or any number which might be required, if I made my course an abridgment of all modern history, &c. &c. My object would be to give eight lectures every year, like Guizot on French history, for the history, chiefly the internal history, of England." Guizot is shallow in the deepest, the religious, part of history. But Dr. Arnold's view of a Professor's office was that he was to produce a few, but *finished*, lectures, involving much research and thought. The present Professor, in his evidence^l, follows the same line. But a student could clearly appreciate better any such finished course of lectures, if he had them printed before him. He would then, especially if references were given to authorities, be a *student*, not a listener. In truth, the works which have come down to us have not ordinarily been the delivered lectures of Professors.

Actual works not produce of lectures.

Our own Regius Professors of Divinity.

37. To instance the works of our own Professors; of twenty-eight Regius Professors of Divinity, including the present, thirteen only, I believe, have left writings. Of these, Sanderson, Allestree, Potter, and Van Mildert, who rank among our Divines, left little or nothing professorial; Sanderson, ten Prælections only "de Obligatione Conscientiæ," Allestree, sermons only; Potter, a book on Church govern-

ⁱ P. 93. ^k Stanley's Life quoted in Evid. p. 271. ^l Evid. p. 273, 4.

ment; Bishop Van Mildert's only work, as Professor, was his *Rev. Dr. Bampton Lectures*. Bishop Lloyd's powerful mind was rather *Pusey.* prevented from writing by the pains and time which he bestowed on his pupils. Dr. Burton was perhaps the first, after Sanderson, who produced works as Professor, except one *Prælection of E. Bentham.*

38. Of twenty-nine Margaret Professors, ten have left *Margaret Professors.* writings. Benefield alone, I think, left *Prælections*. They are "on the Perseverance of Saints," and being on this one subject, could not represent Professorial teaching.

39. Of the Professors of Greek, John Hales (of Eton), *Greek Professors.* Hody, Milles, (the editor of *S. Cyril of Jerusalem*,) are well-known names; but none of their works are Professorial, Hody's alone was published as Professor. His elaborate book was the first solid work on the LXX, and has been a mine for subsequent writers. It plainly could not have been delivered in lectures. More has been done by the present Professor for the study of Greek, than by all his predecessors; much more, I may add, than could have been done by Professorial lectures.

40. Of the Hebrew Professors, before Archbishop Laud's *Hebrew Professors.* time, who annexed the canonry of Christ Church, Dr. Kilby, rector of Lincoln, was one of the weightiest revisers of the translation of the Bible in the reign of James I. Afterwards, Pococke laid the foundation of all the modern study of Hebrew, applying solidly the comparison of the cognate dialects, which was so exaggerated and distorted by the school of Schultens, and still further misapplied, under evil influences, by the Germans, until brought back in great measure by Gesenius. But the principle Pococke drew chiefly from the Jewish and Arabic lexicographers and commentators, and he introduced it into the Christian study of Hebrew. His commentaries on the Minor Prophets combine more fulness of learning and more solidity than can well be found elsewhere, but they could not be the matter of lectures.

41. Afterwards, Hunt and Blayney published on the Old Testament; Hyde aided in the Polyglott; Dr. White benefited Oriental and Biblical study by publishing the Philoxenian version of the New Testament; Archbishop Lawrence advanced the study of Æthiopic and published works in Æthi-

Rev. Dr. Pusey. opic; Dr. Nicoll, one of the best Arabic scholars of Europe, did much by his Arabic Catalogue, and would have done much more, but for his early and lamented death. Nothing which they left was Professorial, except one or two orations of Dr. Hunt, as Arabic Professor.

Foreign accessions to knowledge of Hebrew not the produce of lectures.

42. Or to speak of foreign study of Hebrew, the real accession to the knowledge of Hebrew abroad has been of late (notwithstanding the Neologism which influences it more widely than seems at first sight) through the *Thesaurus* of Gesenius, and his and Ewald's¹ *Grammar*. In older times, the vast stores of Rabbinical knowledge brought to illustrate Holy Scripture by our countryman Lightfoot, or the evidences of an older interpretation among the Hebrews accordant with the Christian, accumulated by Martini in his *Pugio Fidei*, or by Schoettgen, were not and could not be the substance of lectures. Hebrew may, though cautiously, be brought to illustrate the New Testament: but a Hebrew lecturer who should do so, except incidentally, would be travelling out of his own province, and of course, unless he entered wholly into the province of another, his instruction, being very partial, would be superficial and mischievous.

No great or important work could be condensed into lectures.

43. Again to speak of time only; if lectures on any subject, e. g. of Ecclesiastical History, or Doctrinal Theology, or any book of Holy Scripture, were long and full, (such as any elaborate work would be), the space so dwelt upon would be very narrow; if the space were larger, the fulness would be contracted. We have in Mosheim a skeleton of Ecclesiastical History, condensed into the space of lectures; who could imagine Baronius' *Annals*, so delivered, or Tillemont, or Fleury, or in Theology, either Bp. Bull (as I said) or the *Dogmata Theologica* of Petavius? Spence says of his own times, "*When*^k, in the lectures of Professors, some books [of Holy Scripture] are explained, this is generally done with such prolixity, that one may think himself fortunate if he hear one or two chapters explained; while most of the so-called lectures on Scripture extend only to the more difficult passages as they are called." It may be added, in illustration of this, that

¹ Ewald's original, and his best grammar, was published at about 19 or 20.

^k Consil. Lat. iii. 421 ap. Hossbach *Leben Spener's*, i. 19.

almost every solid and learned work, published throughout the Roman church, has been the production not of Professors, although they have had, and have, learned Professors, but of bodies whose profession has been silent study, which was the object of our own Colleges and Cathedrals, and, until the decay of the last seventy years of the last century, was the employment of a good proportion of their members. What those bodies have been, they may be again, if but due care is taken in the selection of their members.

Rev. Dr.
Pusey.

In Roman church learned works chiefly the result of quiet study, not of Professorships.

44. But this very ground of advancing any study has had its very dangerous side on all religious and moral subjects. It can hardly be otherwise than very dangerous, when a person *sets himself* to advance them. For his mind is thereby set in the position of looking for what is new, instead of what is true; or of giving to what is new an undue importance on the ground that it is new. The solid advancement of knowledge takes place through laborious and powerful thinkers who produce because they know, not labour in order to produce. One who should set himself to discover in religious or moral subjects (of course I do not mean as to the faith itself on which there can be no discoveries) would probably follow out some creation of his own brain.

Danger to truth if a Professor sets himself to advance a science.

45. This has been actually the character of so many German Professors. Novelty, not truth, has been again and again their object. The problem has been, what they should discover; and so they did discover what often was a phantom. Or again, they have really perverted the judgment by investing with undue importance what has cost them labour, or what others, rightly, have neglected. A lay critic in the *Quarterly Review*¹ descants playfully, but with a serious meaning, on this tendency. He instances it in the indiscriminate admiration of Spanish and English poetry, which had been deservedly forgotten, or a perverse reversing of the common judgment as to what was really good. "The principle was, that whatever had been forgotten, deserved to be remembered; to be obscure was to be precious. Every condemnatory judgment of the past was *a priori* entitled to a repeal." Theories again, as to "a fore-school of Shakspeare," this critic puts in the same class. Clau-

Tendency to produce wrong judgment or scepticism.

¹ No. 174. p. 439-442.

Rev. Dr. Pusey. diusⁿ says of the writers on the Evangelist St. John in his day (they were professors), "They have busied themselves with the evening cloud which veils the full bright moon, but the moon, as she walks behind it in her beauty, they have left in peace."

46. In secular learning, this was not of much moment. It has indeed e. g. been a strange contrast, that the theories about the genuineness of Homer to which the German critics and philological Professors have been mostly enslaved for above fifty years, should at last have been dissipated by an English officer, Col. Mure. Yet this would be nothing more than a waste of time and labour, were it not that a principle of scepticism was thereby fostered which was afterwards turned upon what was sacred. It was the complaint of Heyne, that our bishops prevented our receiving his theory, whereby Homer was torn limb from limb. I have, myself, had to answer that strange fancy. It was difficult to imagine why our bishops should be supposed to interfere with theories as to Homer, until it appeared that the same process which had triumphed as to Homer was applied to Holy Scripture; and Genesis or Isaiah underwent the same rude handling as the heathen poet. The Germans supposed our bishops to be far-sighted and powerful enough to nip such speculations in the bud, foreseeing to what they might hereafter grow. A very thoughtful German^v mentions among the causes of the destruction of belief in Germany, the misapplication of the principles of Heyne on Greek Mythology to Holy Scripture. The misapplication was made by Professors.

47. To pull down has much more excitement than to build up. A critic in the *Quarterly Review*, who speaks very highly of "the preeminence of German criticism," observes even as to their criticism on profane authors^p: "It is difficult altogether to escape from the suspicion, that scepticism, or a prejudice in favour of doubt, has been a besetting sin of German study." It is dull and useless to maintain what no one doubts; theories which pull to pieces what has been received for thousands of years, imply, at least, originality. Anyhow, such has been the course which the mind of the German Professors has taken, and in part, is taking. One cannot read

ⁿ Werke, t. i. p. 9.

^v Stäudlin.

^p No. 162, on Lachmann's Essays on Homer, p. 381.

speculations on Holy Scripture, in which it is dissected into fragments, on some arbitrary theory of the Professor's, without marvelling at the self-confidence with which conflicting opinions are proposed, and, at the same time, feeling that the interest which the different theories have in their authors' eyes, is their supposed ingenuity. The aim is to achieve something which has not been achieved before. So baseless are these criticisms, that e. g. two Professors of great name will, on internal evidence, as they profess, place the same Psalms or chapters of Isaiah at the very earliest or latest date, and a third at some intermediate period. But every thing is asserted with the same confidence, although it rests on the single judgment of the writer.

Rev. Dr. Pusey.

Self, not truth, the object of many Professorial theories. Contradictory theories proposed with equal confidence.

48. At an earlier period, Rosenmüller taught, that the Pentateuch was written by Ezra, on account of its similarity to the style of Ezra and Nehemiah. More recent criticism, since Gesenius, acknowledges the difference of the earlier and later style of the Hebrew books. Later Neologism corrects the errors of the innovating criticism before it, while it perverts the broad principle which it maintains, by a minute and arbitrary criticism which neglects deeper lines of resemblance, for some petty difference as to single words. It would be easy to demonstrate on the principles of this school that Gray could not have written both the "The Bard" and the "Elegy in a Churchyard," while yet any one, really familiar with the poet, would feel that they come from the same mind.

49. Nothing is more capricious and arbitrary, nor at the same time so despotic, as this so-called "critical tact." It is, of course, the Professor's individual, unreasoning judgment, good or bad. "Critical tact" would have led Wolf to mistrust his own speculations. He felt that there was such a wonderful unity in Homer, that he hesitated to pursue his doubts. Lachmann, in a later generation, pronounces a peremptory judgment even on minute subdivisions of the poet. The criticism on Homer has been left far behind by the criticisms on Holy Scripture. Gesenius observes^q, that a Reviewer in an eminent critical journal (the *Jena A. L. Z.*) opposed to De Wette's careful proof that Isaiah 53 was written by the same "Poet" (as De Wette called him) as the other chapters, 40-66,

^q In Is. Th. 2. §. 4.

Rev. Dr. Pusey. the simple statement "it was contrary to exegetical feeling;" Gesenius has reason to add "of course, the Reviewer's only." Ewald's criticisms are often not less arbitrary, unreasoning, or peremptory.

Hard to think that German sceptical Professors believe their own theories.

50. It is even hard to think that the Professors could really believe their own theories; so much violence was often necessary to carry them out. As e. g. in the theory of Eichhorn where he maintained that the Pentateuch was derived from two documents, the criterion being, that the one used the special name of God, Jehovah, the other, Elohim.

51. It seems, again, inconceivable that a critic could really have assumed that the Hebrew Prophets related the past in the form of the future, "in order to give to the event poetic dignity," which yet was Eichhorn's favourite theory, whereby he could disbelieve prophecy, without yet representing the prophets as impostors. A theory, says Gesenius, "hard to believe and still harder to prove."

52. Even Gesenius—who uses as one subordinate ground to identify Isaiah 13. 14. with the time of the Captivity, that "notwithstanding the æsthetic excellence, they are not less full of embittered enmity and revenge than Ps. 137,"—even he had to check the wanton criticism of his predecessors. Prophecy indeed fared as ill, whatever particular time might be allotted to any chapter. It was agreed by the main body of Professors and critics that what we believe to be prophecy could not be. But critical grounds were never wanting to support what was wished to be maintained. Some maintained on grounds of critical tact, that the chapters of Isaiah 40–66, were by different authors; Gesenius shows that they are by the same, and has to correct the "fragment-making system" (*Zerstückelung-systeme*) of Koppe. Yet other and yet more capricious criticism still disputes on arbitrary grounds the genuineness or, in a wild way, the truth of parts of the Old Testament.

Rivalry of Professors.

53. I may just allude to another source of neglect of truth, this rivalry of Professors. One may even see in the elaborate work of one Rationalist Professor, that he rejects certain details simply because they were maintained by another. I have observed this, occurring more or less, through a Hebrew grammar.

Evil effects of this on students.

54. Yet while the Professor was thus tempted to seek for originality at the expense of truth, and, in the case of Theology,

of reverence for Him who is the Truth, what was the condition of the students? The new critics spoke with contempt of the few who opposed them, put forth their views with confidence, as the acknowledged result of the advanced criticism which no unprejudiced person could doubt. What must be the result as to young minds who, without any previous knowledge of the subject, took down the criticisms of the Professors, as the oracle which they were subsequently to study?

*Rev. Dr.
Pusey.*

55. Parts of two such courses I myself attended at Göttingen, not imagining beforehand what they would be; the one was on the Pentateuch, the other on the Gospels. In the lecture on the Gospels, the Professor, under cover of saying that it would not be safe to adduce such or such a miracle in evidence of the Gospel, explained away every miracle, as far as I heard, until he came to the history of the Resurrection, which, when most of the students had left, he defended carefully against the once notorious, but then forgotten, “Wolfenbüttel fragments.” The students saw through the vail, which to myself, being then unacquainted with German Neology, became only gradually thinner. I did not see through it until towards the end. The public notice of the lecture was: “The three first Gospels, with copious discussion on the principal Jewish ideas mentioned in the New Testament.” The former part I did not hear; but any one acquainted with German Neology will know what was inculcated upon the student as being simply “Jewish ideas.” From the part which I did hear, a student could learn nothing except some very outward criticism, and how to explain away our Lord’s miracles and prophecies. The other lecturer defended the genuineness of the Pentateuch, and told me that he “was too orthodox for those of his age” (meaning those who impugned the books whose genuineness he defended). Yet the plagues of Egypt he diligently explained away by mere natural phænomena, as well as the passage of the Red sea; and I recollect hearing a student say, when asked whether he should stay on towards the end of the term, that “he should stay on for the fun” which the Professor would make [spass machen] on the history of Balaam. The Professor did as he said; acted, in part, the history; and I recollect, as I sat facing the students, being struck with one, and one only, who laid down his pen, and remained grave amid the profane merriment. Yet these Pro-

Instances.

Rev. Dr. Pusey. fessors were among the most eminent of their time. The one, Eichhorn, was then about eighty years old, had lectured for about fifty years, and had, in his own time, the highest reputation of his day; the other, Pott, was the editor of dissertations and a commentator on St. Paul. I may add (since nomination by the Crown is put forward by some as preferable to the election by Convocation), that they were nominated by the Crown, i. e. by the representatives and ministers of the same Sovereign who then sat on the throne of England °.

56. I attended no more lectures of this sort. But it is well known how the genuineness of books of Holy Scripture, or the Inspiration of the whole, or the truth of its histories, or the prophecies quoted by our Lord himself, every doctrine, one by one, or the whole substance of the Gospel, have been denied again and again by Professors appointed to teach the future preachers of Germany.

Shallowness
of the former
Rationalist
Professorial
criticism.

57. The shallowness and wildness of the Hebrew criticism of the day were almost inconceivable. I recollect being surprised at hearing it asserted that Gesenius, the most eminent Hebraist of his day in Germany, had set himself to *oppose* the comparison of other oriental dialects to aid in the understanding of Hebrew. I was surprised, knowing how laboriously he had so employed them himself. I did not understand it until I found what wild criticisms, in ignorance alike of the genius of Hebrew and of the real meanings of the words compared, were then authoritatively circulated by writers, such as Paulus, whom it was accounted presumption to call "shallow Hebraists."

58. It is well known that, in Arabic, the meaning of single words is very often very specific and complicated, so that it requires some idiomatic knowledge of the language, or at least an intelligent knowledge of a lexicon, founded on that more general knowledge, to see what is the real meaning of the root, what are mere accidental applications of the word. But, at that time, without any discrimination, any meaning which was incidentally involved in any Arabic word, was forthwith assumed to be the meaning of a Hebrew word, if but the letters, to a certain degree, corresponded. And this was continually

° The character of the nominations depended upon the character or, I suppose, knowledge of the prime minister. At an earlier period, v. Munchhausen refused to appoint Büsching on account of his rationalist "Biblical Theology." Niemeyer, Univ. Halle, p. 106.

applied to give some strange sense to a very common word of Holy Scripture, of whose real meaning there could be no doubt. The very interest of the application often lay in giving some new meaning to a word, because the plain and obvious meaning did not suit the views of the critic. Yet, through all these years, generation after generation of students listened to this shallow criticism, and took it down as certain truth from the lips of the Professors.

Rev. Dr. Pusey.

Yet universally received.

59. Whatever may have since been done by some earnest Professors in Germany, has not been the result of the Professorial system, but of the religious awakening of minds in Germany from the death-sleep of the last century. There are too many *veteris vestigia fraudis*.

Revival in Germany not the result of the Professoriate.

60. No one can question the power and strength of the German mind. Yet two defects are very remarkable and have been a blight upon it:

Imitation in Germany the result of the Professorial system.

i. The rigid and dry following of an imposing system or teacher.

ii. The want of solidity in the systems which successively arose.

61. The independence of the English mind, and the absence of schools among us, stand remarkably contrasted with the successions of schools in Germany. Yet the Germans are of the same national stock as ourselves; nor can the imitation which has so often prevailed among them be attributed simply to the difference of political constitution. It existed on subjects remote from politics, and in the end, showed itself in a slavish adherence to those who successively attacked the miracles or the doctrines of the Gospel. I know of nothing which so tended to foster this, as the mode in which knowledge was conveyed to the students at the Universities, without any previous exercise of their own minds. The temptation to the Professors to originate, apart from, and so to the neglect of, truth, and the natural tendency of the students, *jurare in verba magistri*, worked into one another.

Successive schools in Germany; absence of schools in England.

Difference of the two nations mainly attributable to the modes of education.

62. Some of their talented, although unbelieving or misbelieving writers, as Lessing and Herder, have bitterly lamented, and mocked at, the character of imitation which this system has stamped upon a great portion of their nation. "There is no people probably" (if I may again repeat what I

Lamented by Germans of original mind

Rev. Dr. Pusey. said in a forgotten book) "among whom the great names of the past generation are so soon forgotten, or those of the present day so unduly exalted, as in Germany; none, probably, among whom the crude or faulty notions of individuals obtain for a time so extensive and pernicious a sway; and this, because the knowledge of the mass of each generation is derived, for the most part, exclusively, from living sources."

Outline of successive theological schools in Germany, propagated through the Universities.

Rationalist teachers arose out of school of Baumgarten.

Gradual deterioration.

63. It is an historical fact, that theological schools were formed in Germany from the time of the Reformation. Every school was propagated through the Universities. Early there was the school of Wittenberg, and the stiff dry adherence to every letter of Luther and the *formula concordiæ*. Spener's school was propagated through the new University of Halle. It began with much freshness. Francke and Breithaupt especially had, in their way, solid learning. The Pietist school had the University of Halle at their command, and for the time, they exercised, through it, an extensive and beneficial influence upon Germany. Halle was filled with students; in the first thirty years, 6034 theological students had been admitted into it. But after the first generation, the school declined. Its teaching retained neither energy nor freshness. Baumgarten, whose lectures were attended by almost all the theological students at Halle, (never less than 5 or 600 and often more,) who was himself idolized, so that his very physical defects were imitated by the students, and his lectures transcribed, verbatim, by most of his pupils, dried up, narrowed, and humanized Theology. He was the teacher of several of the early Rationalists. Semler, Büsching, Teller, Spalding, Eberhardt^a, and others, were among his pupils. Semler himself was encouraged in his innovations by Baumgarten, who, however, did not foresee their extent. Ernesti's principles, in themselves shallow, became still shallower in his immediate followers, as Morus, Fischer, Schleusner. Eichhorn and Koppe were pupils of J. D. Michaelis, himself educated in the Pietist school. Steinbart, the author of the final amalgamation of Rationalism with the remains of Christianity, (which was, in fact, a mere naturalism,) came out of the school of the Pietists, and was a pupil of Baumgarten and Töllner.

64. I have, herein, mentioned certain leaders only in the

^a Niemeyer die Univ. Halle, p. 78. 80. 104.

undermining and overthrow of Christianity. But in fact, almost all those through whom rationalism was nurtured, developed, ripened, were Professors. Besides the above, I may name the wretched Barhdt, Döderlein, Henke, Theiss, Paulus, Ammon, Vater, De Wétte, Gesenius, Wegscheider, Bauer. The rationalistic writers of any name who were not Professors, were placed in their offices by the Crown, as Basedow, Pastor at Berlin; Eberhard, Preacher at Charlottenberg; Löffler, Superintendent in Gotha; and Röhr, Superintendent in Weimar.

Rev. Dr. Pusey.

Almost all the promoters of Rationalism were Professors.

Rationalist writers among the Pastors, appointed by the Sovereign.

65. On the other hand, the Professors who endeavoured to stop the tide of innovation were few, and chiefly of the University of Tübingen. The Professors, who really resisted Rationalism, were almost as few as the pastors who *actively* promoted it.

Few Professors opposed, few Pastors *actively* promoted, Rationalism.

66. In 1825, (and so after the revival through the new school had for some years begun,) one who wished to recount all who, in any sense, could be accounted supporters of Christianity, or (as they were called) "orthodox" among the Professors, made them amount to seventeen only, in all Protestant Germany. Among them was Markeineke, and some others, who, in no other country, would have been accounted orthodox. "We Orientalists," said another in my hearing, who became afterwards a distinguished Oriental Professor, "are but bad Christians." I believe that a young Roman Catholic student and myself were the only believers in the lecture-room when it was said, although another was afterwards converted.

Few supporters of Christianity among Professors in 1825.

67. Nor is it to be thought that, even in their own way, the earlier of these Professors had, what is now considered the attribute of German research or criticism, solidity, depth, or accuracy. On the contrary, every thing in every line which was of a deeper sort, tended upwards towards restoration of faith. Even De Wette said in 1817: "Above every thing, our interpretations of Scripture must be put into a new and better condition, and go deeper. The weakness, dryness, and impiety of the heretofore so called historical interpretation

Rationalist testimony to the shallowness of early Rationalist Professorial criticism,

^u Reformatiōns-Almanach, (1 Jahrg. 1817,) p. 355, from a paper on the "Fall of the Protestant Church in Germany, and the means of its restoration," quoted by Mr. Rose, State of Protestantism in Germany, p. 234, note, ed. 2.

Rev. Dr. Pusey. cannot any longer satisfy us. This exegesis is not grammatical, for it often handles languages quite wrongly, and knows not their actual laws; nor is it historical, for it inquires not, and lives not in and with history, and has no historical contemplation of things; in fine, it deserves not the name of exegesis, for it is not an interpreter of what is holy, which it knows and understands not. We shall never get at the spirit of Christianity by a comparison of Jewish views, and passages from the rabbis; for no one has ever yet understood the living by means of the dead. And if it should multiply all the instruments of historical interpretation, and fix their relation to one another with yet greater acuteness, yet if its own spirit be not raised and its look elevated to living contemplation, it will always remain in the outer court of the temple, and not become consecrated and holy." On their philosophy Lessing said: "Formerly a wall of partition was drawn between Theology and Philosophy, behind which each might hold on its own course. What is done now? They break the wall down; and, under the pretence of making us rational Christians, make us irrational philosophers."

and to the
irrational
philosophy,

Schools of
Philosophy;

their influence
even over
Theology,

68. The philosophy of which Lessing thus speaks was the Popular Philosophy. Schools prevailed in Germany as much in Metaphysics as in Theology. The Wolfian philosophy broke the way. Wolf himself was banished; but his system was, within a few years, introduced again through Professors, into Doctrinal Theology, at Göttingen, Helmstadt, Berlin, Jena, Greifswald. It was employed to establish Christian doctrine by mathematical proof. A thoughtful writer^x traces the influence of the Wolfian Philosophy, in the interpretation of Holy Scripture, Doctrinal Theology, Morals, Sermons. "The Wolfian Philosophy was prescribed even to the candidates for the office of preaching, in the ordinances for their education. It was this philosophy which occasioned Mosheim to enter on the general inquiry, whether philosophy belongs to the pulpit."—"Long and many were the contests hereon; ordinances came even from Consistories, especially that of Dresden, against the philosophical preaching. Later yet, the phi-

^x Stäudlin *Gesch. der Theol. Wissensch.* ii. 385. 530 sqq. 615 sqq. 722 sqq.

losopher G. F. Meyer at Halle, who himself mostly followed the *Rev. Dr. Pusey.* Wolfian philosophy, felt compelled to write against the philosophical preaching common in his time." Herder gives a vivid picture of the effects of this system on the preaching of the day. and the pulpit. The Theological students had learnt the technicalities of that Philosophy from the delivered lectures, and took it with them into the pulpit. "Philosophy [the Wolfian] roused itself against it [the language of Pietism], and unquestionably with better fortune for the human mind, which loves clearness; until at last she enveloped the whole of doctrinal and moral theology, nay sermons and catechisms, in a new Spanish mantle. Now Religion belonged to the 'best world;' and from the idea of the 'most perfect being' were deduced the connection of all things, of sin also, of vice, of the righteousness of Christ, of repentance, of eternal punishments;—as was to be proved! Where could this be better proved than in the pulpit, where no one contradicted? and accordingly even the pulpit (especially since Wolf had written in German) was overwhelmed with a terminology, which even now has not wholly disappeared; nay, which seems almost to domesticate itself in our language, although the common man, even after he has heard it a hundred times, understands it just as little as at first. In the controversies, at that time, about the philosophical mode of preaching, a philosophical sermon was translated into good intelligible German: how often had one occasion for such translations, and compassioned the multitude who could not make them!"

69. The Wolfian Philosophy again was displaced by the rightly-called "Popular Philosophy." It is thus characterised by a deep thinker, Twesten: "So long as Wolf reigned in the schools, it [philosophical criticism] took for its basis in its natural Theology, a formal logic. When later, a superficial empiricism got the upper hand, and the School-philosophy was driven out by the Popular Philosophy, it [the criticism] lost even the appearance of logical solidity, and in the place of opponents who, at least, held with earnestness which must be respected, that general part of Doctrinal Theology which was transformed into rational Theology, (as e. g. Reimarus, the displaced by Popular Philosophy; its shallowness and conceit:

Rev. Dr. Pusey. author of the Wolfenbüttel Fragments,) others rose up, who, under the influence, if not of French materialism, yet of French levity, attacked the fundamental truths of the faith of the Gospel. With this was united an angry dislike of every thing ecclesiastic, and so self-pleased a feeling of attained superiority, that whatever did not adapt itself to the prevailing tone, it thought itself entitled to despise as only a lamentable remnant of the ancient Barbarism.—The majority of the so-called Illuminators and Illuminati reduced their Christianity to mere morality, and to that shadow of natural religion, amid which its most zealous adherents scarcely dreamed, how precarious was the position of their own tenets, after the foundation of positive faith was withdrawn from it.”

its contempt
for Christian-
ity.

70. The subject is of so much moment that I may add a quotation from Stäudlin: “Gradually^z, but continually, the solid, original German Philosophy gave way in Germany; the empirical French and English Philosophy won there continually more influence even on Theology. The old system of doctrine was attacked by a great number of writers with ridicule, satire, levity, vehemence, just as if there had been no religion in it. In exchange for it they gave frequently either nothing, or something shallow and mean. Interest in doctrinal inquiries and systems continually declined. People pulled down unceasingly, left little of what was old standing, built up little new. The defenders of the old doctrinal system were in a hard plight, and had to take up with disdainful words, calumnies, revilings, and persecutions.”

Kantian good
and evil;

71. The Philosophy of Kant, then, which displaced the Popular Philosophy, was, on its positive side, a gain, in that it awoke the conscience, and exposed the shallowness of a system, more hopelessly irreligious and self-satisfied. But itself, on its negative side, strengthened Rationalism, and gave it its more definite form. “The Kantian^a *αὐτονομία* of reason left room for the Deity, but not for a Revelation, in the sense of the Christian believer.” Yet it was opposed by Theologians, not as having too little of Christianity, but as too favourable to it. Kant did not believe the doctrines of the Gospel, but he acknowledged their abstract value for the human mind, and

disliked for
its good, not
for its evil.

^z Gesch. d. Theol. Wissensch. ii. 558.

^a Twisten Dogmatik, p. 197.

interprets them into a religion of reason. "Its whole spirit," says Twisten^b, "was not less different from that of Christianity than the kindred spirit of Stoicism." Still it showed to him that "a deeper Philosophy would do more justice to the Christian Ideas." "The ^cNaturalist and so-called enlightened Theologians of the age could scarcely forgive its Author for this book. They found here doctrines, which they had so long cast aside, as mere accidental notions of the day, or accommodations, or clumsy inventions of the Fathers, Schoolmen, or Reformers,—doctrines, which they had so zealously stormed or so frivolously ridiculed—these they found so explained and interpreted, that pure, true Religion lay therein. They found here another moral doctrine of Religion, deeper, more comprehensive, and more inwardly moving the soul, than that cold, one-sided Naturalism, and that selfish doctrine of Eudaimonism, on which they had so applauded themselves. They found in Kant no friend of their natural explanations of the origin of Christianity and its miracles. They saw him adopt in natural religion even mysteries in which they thought that they had made every thing so clear and popular. They saw him treat the positive mysteries of Christianity with a reverence and modesty to which they were not at all accustomed. They said accordingly that he wished to build up a new prop for the old orthodoxy, and in so saying, they thought that they had said enough, or that he had so written for some policy of the day." "Even Herder^d," says Twisten^e, "designates Kant's work as Satan's dogmatic, because in it he speaks of radical evil, and an evil principle." Still, for a while, the Kantian philosophy prevailed every where. Twisten speaks of the "supreme power, wherewith it held minds enchained." It was introduced into the teaching both of Christian doctrine and morals. The thoughtful Johann v. Muller complained of its influence even over history. It found its way even in the pulpit. "The Kantian philosophy," says Staüdlin^f, "was almost throughout employed and applied by preachers, in a way which stands in contradiction to the spirit and mind of its founder."

*Rev. Dr.
Pusey..*

*its universal
sway ;
introduction
into Theo-
logy.*

^b l. c. ^c Staüdlin Theol. Wiss. p. 564.

^d In his work on Religion Lehrmeinungen und Gebrauchen.

^e l. c. ^f l. c. p. 747.

Rev. Dr. Pusey. 72. The Kantian philosophy was partly displaced, partly developed by Fichte; both were overthrown by Schelling; Schelling (who became more Christian) was displaced by Hegel. Each theory was confidently inculcated and received in its turn. The authority of Kant, when broken elsewhere, still lived on in Tübingen.

Schools of
Fichte,
Schelling,
Hegel.

Successive
philosophies,
each absolute,
until deposed.

73. Such were the successive dynasties of Philosophy, which occupied and held captive the German mind for about a century. Wolf reigned in Theology about forty years (A. 1728-68), when "his^e remaining followers became Naturalists, and set forth Christianity as a natural religion." The popular Philosophy succeeded, and reigned till Kant, A. 1781. Fichte was, in part, joined in his reign until 1800. Then Schelling erected his throne on the ruins of both. After him Hegel reigned, chiefly, I believe, at Berlin. There was a large Hegelian school; yet so obscure was his teaching that I have understood that a favourite pupil repeated his lectures, who yet had to be corrected by Hegel himself.

Germany, at
last, weary
of all.

74. Absolute sovereigns as these philosophies were (each successively) in their day, each was as confidently rejected when his day was over. We, English, were considered behind-hand, in that we had no such high and speculative minds. Yet, in the end, I have understood that the Germans have come to be of the same mind with ourselves, and having "wearied themselves with the greatness of their way" for above a century, have given up all such speculations, as unsatisfactory.

All opposed
to Christi-
anity, yet all
received by
the students.

75. Yet however any of these philosophies may have been overruled by God to overthrow what was more hopelessly irreligious, or to awaken the conscience or the indistinct longing for Himself, they were, one and all, opposed to the Gospel. Yet one and all were drunk in by the successive generations of students, who accounted themselves rich in a treasure, which the next generation thought valueless.

Superficial-
ness dreaded
as to the re-
vival of
Christianity,
on this same
ground.

76. Even in the revival which has, by God's mercy, amid whatever drawbacks, been on the advance, some who were God's instruments in it, expressed at an earlier period their fears about it, on this very ground which I have been putting forward. They dreaded lest the students, who were returning

^e Staüdlin.

to a better faith, should become shallow, receiving superficially the teaching of the new school of Professors then arising.

Rev. Dr. Pusey.

77. It has been put forward by her Majesty's Commissioners that "the presence of men, eminent in various departments of knowledge—would tend, above all other means, to guard the University from being absorbed, as it has been of late years, by the agitations of theological controversy." It did not protect Germany from Atheology. The Professorial element was the very medium of its propagation. It did not protect Germany even from theological controversy, until controversy expired in unbelief, and a shot discharged, now and then, against the Pantheistic philosophy of Schelling in behalf of the principles of natural Theology, was a sort of phænomenon^f. Of this period, it has been asked, "Had things lasted thus, could Theology have existed fifty years longer, without dying of ennui?" But from Melancthon's time, downwards, controversy was the predominant element at the Universities, until there was nothing left, about which to controvert. It is, again and again, the complaint of earnest men, "What do not our Theologians?" asks a defender of the age in a dialogue of Andreas. "They fight," is the answer. Spener says, "What students have heard [at the Universities] will scarcely ever be of the slightest benefit to them, since they have no occasion to meddle with controversies, and yet have for the most part exclusively heard of them^h." The interpretation of Holy Scripture was, before Spener, nearly disused at Universitiesⁱ; Ecclesiastical History slept after the

Supposed effect of Professorships in checking controversy.

Aggravated controversy in German Universities.

^f See the graphic article in Tholuck's *Litterarischer Anzeiger* 1836. No. 15.

^g Menipp. Dial. 97. Absurda.

^h Theol. Bed. iv. 457. ap. Hossbach Spener, i. 20.

ⁱ "In many of the most celebrated Universities there were no lectures whatever on books of the Bible, and so little desire to become acquainted with them was there among the students, that e.g. even in 1680-90 Olearius at Leipzig could not form a class for the interpretation of Holy Scripture, and Carpzov commonly closed his lectures on Isaiah with the first chapter." Hossbach Spener i. 18. Spener complains that "the youth at the Universities are so seldom led or *even reminded* to study Scripture with the befitting care;" (Consil. Lat. iii. 421,) and that "the study of the Bible had for a considerable time ceased to be the principal Theological study at the Universities." Letzt. Theol. Bed. i. 327.

Rev. Dr. Pusey. Centuriators of Magdeburg^k; but controversy reigned. Spener thinks, that the neglect of the study of Holy Scripture at the Universities “very^l much contributed to the corruption of our (the Lutheran) Church, and to the deficiency of powerful Theologians^m.” “Most pains were bestowed on doctrinal theology *and controversy*.” “The only practical interest,” says Hossbachⁿ, “which was then felt, was the refutation of those who believed differently.” The neglect of controversy was one charge against the Pietists^p. A thoughtful writer^p often quoted, writes thus of the close of the sixteenth and of the whole of the seventeenth century. “All theological sciences breathed a polemical spirit. This was the case not in doctrinal and moral theology only, but also in scriptural interpretation and hermeneutics, ecclesiastical history, the method of theological study, pastoral theology, the theory of sacred oratory and catechising; nay the sermons and catechisms breathed a polemical spirit.” Theological controversy is certainly a bad element for young men. I do not believe that many here are engaged in it. But, certainly, to bring out Professorial teaching (for all must be brought out together) is, (as appears from the experience of Lutheran Germany) the most effective way to aggravate the evil. Walch’s five volumes of “historical and Theological Introduction to the Religious Controversies of the Evangelical-Lutheran Church from the Reformation down to the present times” [A. 1733] give a vivid, detailed, but most distressing picture of the continued agitation of theological controversy, carried on at, and through, Lutheran Universities.

Professorial
lectures will
not abate
controversy.

78. As for the mere diversion of young men’s minds by other studies, those minds which injure themselves by premature controversy, would be the very minds which would not be so diverted. To substitute other studies *as a diversion* would but substitute religious indifference for theological controversy. To engage young men in the solid discipline of the

^k Until Kortholt, about 1666. Knapp Francken’s Stiftungen ii. 191.

^l Letzt. Theol. Bed. i. 327.

^m Ib. iii. 347.

ⁿ Hossbach Spener, i. 21.

^o In Walch Religionsstreit. i. 922. 896. 708. 294.

^p Stäudlin Theol. Wiss. Th. 2. §. 1.

studies of this place, as matter of principle and as belonging to their age, and to induce them to defer controversial half-knowledge as unsuited to them, would, of course, be beneficial; but this requires no re-construction of the system of the University. This motive for introducing the Professorial system is strangely in contrast with another recommendation, that young men be allowed, after the second year, to engage exclusively in their Professional studies.

79. The Commissioners hope to allure the students off from controversy by the presence of scientific men and by brilliant lectures on Modern History or physical science, (as if modern history were not especially fraught with controversy, so that it can scarcely escape it, except by ignoring religion,) and then, at a time of life when the University has not thought her students mature enough for the exclusive study of Theology, they would allow the greatest part of them to devote themselves exclusively to that study, in which their attention must be directed to subjects upon which, unhappily, there is controversy.

*Rev. Dr.
Pusey.*

Professorial
study in-
creases it.

80. Her Majesty's Commissioners forget that the very system which they advocate, the Professorial, does give the utmost weight and scope to individual influence. The Professor differs only from his book, by the weight which the living, thinking, speaking, being has. Personal character, reputation for learning, age, persuasiveness of diction, or any other qualities which he may have or be supposed to have, give him an influence over younger minds. A person, involuntarily, more or less criticises a book which he reads. A student, who listens to a Professor, is in the relation of a receiver, not of a judge. A Professor would have much more scope, if he so willed, to give vivid and impressive pictures of the Church, in *delivered* lectures on the later chapters of Isaiah, than would result from the ordinary exposition of the prophet, verse by verse, in catechetical exposition of the text. While also, in many cases, the Professor might have more warmth and personal weight than his book, the student who came without previous reflection, would be more open to receive any impression which might be imparted to him.

Professorial
system pro-
motes indi-
vidual in-
fluences,

81. But while the student is thus more dependent on the Professor, he is, on that very ground, in more danger of be-

and depend-
ence of the
student.

Rev. Dr. Pusey. coming superficial; taking away with him certain thoughts of the lecturer, or certain, perhaps not very clear, impressions, without having his own mind called into activity, and so being a lifeless copy of the thoughts of the Professor, instead of studying, with him, the living and inspired original.

Professors to help, not to supersede labour.

82. The influence which results from *delivering* instruction has its right place in the pulpit, where the very object is persuasion, to lead men to do that which they themselves know ought to be done, or to teach them how to do it. Yet even here solid catechising is more instructive and leaves clearer impressions on the mind than a hundred sermons; and this, on the ground that it calls out the mind of the person instructed. The real duty of the Professor is not to supersede the student's labours, not to give him ready-made knowledge, not to persuade him to receive this or that theory, but to teach him *how* to think, *how* to study, to help him how to overcome the obstacles which hinder him. It is not, to think for him; it is to aid him to learn to think solidly himself.

Evils of German system felt in Germany.

83. So strongly were the evil influences of the Professorial system felt in Germany, that in 1827 a distinguished preacher in Germany, Krummacher, prayed (I myself heard him) in the long ex-tempore prayer after a sermon on Whitsunday "that the Universities may no longer be murderesses of souls" (*seelen-morderinnen*). He had reference to the unbelief propagated in them.

Why so much said on the intellectual side of the Professorial system.

84. I have dwelt, mainly, upon the intellectual side of the Professorial system, because this has been set forth as its advantage, and on this side are its positive evils. Negatively, the Professorial system is wholly destitute of any moral training. The mind of the pupil does not come into living contact with the mind of the teacher, as it must continually in Catechetical teaching. It appears to have been part of the same system, that in the German Universities the students were (with the exception of any case of public disturbance) left wholly to themselves. No one thought of attending any instruction in Divinity, except those to whom it was a profession. There was no religious teaching whatever, except the one sermon on the Sunday for such as chose to attend it; nor any religious worship, except the hymn or two and the very few prayers which accompanied it. Even those students who listened to the sermon

Absence of moral training.

generally came in after the prayers. Professors themselves *Rev. Dr. Pusey.* often set the example of entire non-attendance upon the public worship. If there was an afternoon sermon, it was not intended for the students, and none attended it. A student was even told, that, being simple instruction, it was not meant for him. I have heard that the neglect of private prayer was very habitual, although, in that it is private, this could only be an impression gathered from the students about themselves and each other. There was no individual intercourse between the Professor and the student. The only approach to it was, that some few of the professors opened their houses to the students on one evening in a week or fortnight. Some few, about eight or ten, used to come; and the intercourse, limited as it was, was improving.

85. If I may once more quote what I wrote, when the memory of what I had seen in Germany was recent, ¶“ The pre-^{Entire absence of discipline.}paratory studies in Germany, at the present time, (for it was otherwise some fifty years past,) are supposed to be concluded at the school. On the removal of the student to the University, he passes at once from boyhood to manhood: at once, instead of discipline and control, he is left almost unfettered, even by moral guidance. The only requisition made, is, that he should attend some one or more sets of lectures; some general advice is also given as to the method which it may be most advantageous for him to pursue: but, beyond this, what instruction he should receive, or from whom, whether he should live as a Christian or as a Heathen, (provided he interrupt not the public peace,) is left to his own option.

86. “ The students have, moreover, an indefinite power of quitting any University whenever they please; and it rarely happens that any individual begins and concludes his residence at the same place: he is admitted to any new University with the same advantages which he would have had by remaining at the last. A considerable proportion of the students in the principal Universities are, in consequence, not members of the state in which the University is situated, and consequently scarcely under the control even of the civil government. In the seven Prussian Universities the proportion of foreigners was, in 1830, very nearly one-fifth; in the Hanoverian University, Göttingen,

Rev. Dr. Pusey. it was, in 1825, a decided majority of the whole. In that year, the Government having decided on the expulsion of some members, in consequence of the very great number of duels^r then fought, it became a question among those students who were not Hanoverians, whether they should not as a body leave the University, if this act of discipline, slight as it was in proportion to the offence, should be enforced; and this decision, which was to be determined by certain heads of the different clans, would have been so imperative, that not one foreigner would have remained at the University. It was understood at the time, that many of the University authorities were, in consequence, averse to the enforcement of the measure, however necessary; not, one should hope, on account of the diminution of income which would ensue, (much of that income being derived from the payments of the students,) but on account of the loss of distinction resulting to their University, through the great decrease of their numbers. It may be imagined what degree of discipline is in consequence enforced."

Complaints of prostration of discipline in German Universities in the 16th century.

87. Complaints of the want of discipline in the German Universities occur very early. It is owned incidentally in a Programm of the University of Wittenberg A. 1557: s "Al-

Duelling of old in German Universities.

^r Arnold quotes an edict of the University of Wittenberg against duels even as early as A. 1564, (Scriptt. Witteb. i. p. 65,) and says, that it appears from the edicts against them, that they were even then common. Meiners (Geschichte d. Entstehung u. Entwicklung d. Hohen Schulen) has a special chapter on the laws against duels, (B. xii. c. 5.) He sets the first edict at Wittenberg, in the first half of the 16th century. He says, "Although all these edicts were too severe, and so could not be put in execution; partly because people did not enough see the unavoidableness, and even *the benefits* of duels at Universities," &c. (t. iv. p. 185.) The University of Wittenberg, in applying to August, Elector of Saxony, for a confirmation of its statute against duels, a. 1616, says, that "the expulsion of many, nobles and others, had alone prevented the Universities from becoming Fighting-places or slaughter-houses." At Jena, there were renewed mandates, A. 1684, 1693, 1694, 1709. Mayfart says, "If the whole number of maimed, hacked, scarred, and slain were together, I suppose it might picture an entire army." (p. 245.) "At Halle," Meiners says, "duels were very frequent among the students soon after its foundation, A. 1694." He mentions other laws at Helmstadt and Gottingen, (A. 1735,) Kiel, (A. 1775.) Rostock, Erfurt, Altorf, Dorpat. Tübingen, which consisted of colleges, was an exception: it needed no laws against duels.

^s Scriptt. Public. Witteb. T. iii. p. 115. ed. 1559.

though it were to be wished that there were greater strictness of discipline, yet, in this languid and doting^t old age of the world, let us employ ourselves in the propagation of doctrine as much as we can, as in fact we do with moderate zeal." They add, as a distinct instance of the absence of discipline, that examinations could not be enforced. "Examination in learning is necessary for those who learn; and would that we could often question our hearers as to the teaching which we have delivered to them! But in the existing relaxation of discipline, this *too* happens, that many flee examinations. They, then, are to be praised who undergo our judgment." Again, in 1563: "We must own, indeed, that our government is somewhat languid, as, by a sort of fate of the aging world, it is hard bested everywhere." They lay the blame on the parents.

*Rev. Dr.
Pusey.*

88. A much graver statement is given by Arnold, as having been written in 1562: "We have hitherto, with great public scandal and to our own sorrow, had much harm from neglected discipline, which also increases daily, and threatens utter destruction to study and good morals, as also perpetual confusion, and instead of humanity to bring in a Cyclopean barbarism."

89. Again, "They mode of life of those at Universities is wholly opposed to the Church of God, since not only all sorts of excess go on unpunished, but are become a very custom and fashion; and every one, without notice from the magistracy, is allowed to do that which yet casts men out of Heaven. Nay, many hold it not even disgraceful, because it is the common practice, and is permitted. One cannot even proclaim one's

^t "Delira." This complaint of the "delira senectus" of the world, is several times repeated in these documents.

^u Scriptt. Public. Witteb. t.v. præf.

^x Arnold, in his *Unpartheyische Kirchen und Ketzer Historie*, ii. 16. 10, quotes this as occurring in the *Scriptt. Witteb.* v. 241. It does not occur at that place in the edition in the Bodleian. He quotes again from Chytræus, the words, "That all discipline is utterly extinguished at Universities." This, too, I cannot find at his reference, *Epistt.* p. 241. He quotes also J. Posselius, a Greek Professor: "The youth will no longer be governed, and discipline is an empty name in the schools." But the context is not serious. (It is in *Crusius Annal. Suev.* lxi. p. 831.)

^y *Scriptt. Witteb.* vi. 410. This, again, I have not been able to verify in the edition in the Bodleian.

Rev. Dr. Fusey. shame by relating academic wickedness, so utterly revolting are its ways."

Amendment
of University
system called
for by pious
men in the
seventeenth
century.

90. "In the seventeenth century," says Stäudlin^z, "loud and open were the complaints, on many sides, in the Evangelic Church, of the decay of morals in all ranks, of the prevailing love of theological controversy and scholasticism, of the mis-directed treatment of the Theological sciences, the uselessness and unworthiness of the preachers, the neglect of the practical side of Christianity—Different as were in other respects the views, proposals, wishes, and hopes of these wise, upright, and pious men, they agreed herein, that an Ecclesiastical provision was required, whereby more morality, a more Christian mind, and a religion of the heart, should be promoted, and that the Evangelical Church was wanting in discipline of manners and institutions which were truly edifying." Although the pious men to whom he refers were not professed writers on Morals, Stäudlin introduces some account of them into his "*History of Christian Moral*," on the ground that "they were admirable Christian moralists; they brought forward many important moral questions, and caused them to be discussed; they urged with great energy the necessity of insisting upon practical Christianity, and wished thereby to put an end to theological controversies: the reformation, moreover, which they wished to effect in the education and instruction of *theological students at the Universities*, had for its object, that more moral should be taught, a purer, more universal, more powerful Christian moral."

Complaints of
J. V. Andrea.

91. The earliest of these writers is J. V. Andrea, to whom Stäudlin says "it^a is scarcely to do honour enough to call him the Erasmus of Protestants." He was a strict Lutheran, and an earnest Christian. His whole life was devoted to the restoration of godliness. He chose the form of apologues in order to convey earnest truth. It is difficult to detach his matter from his form, so as to give his thoughts in his own words. The apologues which relate to the Universities speak of the ignorance of the students, the empty show of the teachers, the unfitness of those who had degrees for any duty for which the degree was given. To give one short extract of

^z Gesch. d. Christl. Moral. Period. ii. c. 5. p. 300—2.

^a l. c. p. 326.

a dialogue: "*A.* Thou^b wishest evil to the Universities. *B.* I *Rev. Dr.*
would not, were they not mostly schools for the practice of *Pusey.*
error, vanity, extravagance, debauchery, heresies, hypocrisy,
flattery, talkativeness, conceit. *A.* Is there then no good
there? *B.* O, right much; for to these fairs of human errors,
where so many wondrous exhibitions of the learned are set up
for show, the best stream in, as spectators, or exhorters, or
fault-finders, or some too as defenders, guides, and protectors
of Christian Wisdom. For as in a fair most is exhibited for
luxury and superfluity, but something also for use and piety,
so the *Universities, although most hostile to Christ, and com-*
monly, in their whole direction, opposed to Him, have also
sometimes men who take part with Christian truth. *A.* Where
then shall I learn what Christ requires? *B.* *Any where, more*
happily, than in such schools." He implies that the Universi-
ties were decayed. "Since^c honours belong to learning, and
learning to honours, how is it that at this day we can rely less
upon the degrees than in the time of our fathers?" "To^d
many," he says again, "is the care of souls entrusted, whom
no one would make a city-watchman: many handle juris-
prudence who own not a law; many cure the bodies of men
whose skill cannot remove the distemper from a dog; here
and there you find men set over youth, who ought themselves
daily to be chastised with rods or whips. But when we hire
shepherds, sow-herds, and labourers, we are careful even to
superstition. *B.* If that is true, I know not how the Univer-
sities will get on; for we trust them; from them we receive
such people; their attestations we accept, and those on whom
they have bestowed dignities and rewards of learning, we prize
reverently, nay, we support richly, so that thou canst not with
truth blame us." Again: "Shall^e Christ be content there-
with? should He love and praise Universities? should parents
think well of these schools? entrust to them their dearest

Universities
decayed.

^b Menippus. Dial. 25. Academiae (translated by Hossbach Andrea, p. 136.) Comp. his Alethea Exul. p. 344. Libertas veri Christianismi in Hossbach, p. 266. Præf. ad Reip. Christian. Descr. p. 11. ib. § 81. de Juvent. receptaculis. Mythol. Christian. iv. 2. Bacchanalia. Menipp. Dial. 74. Gradus, and on the mere ignorance fostere there, Mythol. Christian. vi. 1. Academia. iii. 44. Statuarius.

^c Ib. Dial. 45. Magister (Hossbach, p. 242.)

^d Ib. Dial. 67. Conductio. (Hossb. p. 244.)

^e Libertas veri Christianismi (Hossb. p. 268.)

Rev. Dr. Pusey. pledges? Oh parents! it turns out otherwise than ye expect and hope, and ye buy at great cost the loss of your sons and the wrath of God! Here are harpies which, whatever they do but touch, either wholly make their prey, or in great measure devour. From those who preside over the Sciences no protection is to be looked for; the majesty of gold or glory blinds them, and they would rather avoid the evil than heartily meet it. From the lesser guardians, those who are intrusted to them are forcibly torn away. Oh parents! when ye send away your sons, ye tremble lest something should befall them in the way, lest robbers or thieves should hurt them! Quite other thieves and robbers have ye to fear, who lay wait for the soul, fill it with bad morals, desires, passions, pride, lies, unchastity, and afterwards bind over the inflicted wounds with an outward comeliness and a good appearance."

Mayfart.
Universities
chief source
of evil.

92. In 1636 Mayfart was Professor of Theology at Erfurt. Buddeus says of him: "He^f was kindled with great zeal to amend the vices and morals of men, as his writings bear witness. And since he held *the principal cause of the whole evil to lie in the schools and universities*, he set forth in his 'Christian admonition, 1636,' their defects and the means of correcting them." Meiners gives a fearful extract from this work, as to the corruptions of youth. He himself says, "since the teachers were dependent for support on the good-will of the students, they were compelled to tolerate all their excesses, that they might not, by a strict infliction of punishment, lose those who lodged and boarded with them. Very many Professors, even of Divinity, were in nothing behind the most dissolute of the students." "In like ways," says Mayfart, "have other Professors *at many Universities* given great cause for the utter confusion of life and manners." Meiners closes an extract of sickening abominations with this statement: "Many other testimonies of University teachers show that Mayfart exaggerated nothing in his picture of the condition of the Universities of his time. "At our German Universities," (says among others the physician Lottich^g, A. 1631,) "you find among the students, for books, nothing but quarrels; for notebooks, daggers; for pens, poniards and plumes; for learned conversations, bloody conflicts; for diligent work, unceasing swilling [saufen] and tumult; for the study and libraries, inns

Lottich
picture of
the evils.

^f Isag. Theol. p. 589.

^g l. c. i. 245-7.

and brothels. Who could number the homicides, murders, and other offences, which have been practised in our times at German Universities? Alas! it is come to this, that places which ought to be nurseries and asylums of piety, learning and virtue, are become depositories of ungodliness, barbarism, and all sorts of vices; so that the parents lament the expenses employed on their children, when they see them return home coarser, unhealthier, and more vicious than they went. *Hence the ill odour in which the Universities stand every where*, especially at the courts. I remember that a lawyer, the very first and wisest in Germany, was wont, *many years ago*, to say, nay, in a manner, predict, that it was impossible that after so many insolences, fights, duels of our student youth, some deadly and extreme war against our Germany, and especially our Universities, was not portended ^h.”

Rev. Dr. Pusey.

Universities
in ill odour.

93. Meiners says, “It is indeed wonderful, that the Universities of Germany, so corrupted in their inmost core, so soon recovered.” Pious writers of the time speak otherwise.

94. H. Müller was Professor at Rostock, which, according to Spener’s account, was then among the best of the Lutheran Universities. He died in 1675. Spener says of him; “Müllerⁱ, whose practical writings have for some time been the best in our Church, who was himself a Professor of Theology, and spoke from experience, lamented the faults of the Universities more than I may, and ascribes the greatest portion of the blame not to the domestic education, but to the Professors themselves. How many well-educated young persons, angels as it were, come to the Universities, and there first become devils. How many pious persons, who have spent some time at Universities, could not sufficiently lament the life which they must see among the students of Theology, and think the Professors greatly to blame. Not Müller alone, but other Professors of Theology, have acknowledged the same to me in writing; though indeed it is manifest as the day.”

H. Müller
and other
Theological
Professors
blame the
Professors.

95. Spener himself thus answers a charge that the Pietists held Universities cheap. “No ^k one can with truth convict us of

Spener. A-
mendment of
Universities
needed.

^h Orat. de fatalibus hoc tempore Academiæ in Germania periculis recitata in Acad. Rintelensi, 1631, p 67, 8.

ⁱ Letzte Theol. Bed. iii. 6.

^k Ibid. 237.

Rev. Dr. Pusey. despising the Universities in themselves, or wishing that there were none: and why should we wish so earnestly that they should be brought into a better condition, if we either hated them in themselves, or counted them useless? Rather we know that schools of all sorts are a beautiful ordinance of God, in which, if things be as the Lord wills, much good can be effected. But that it is to be wished that much were otherwise in the Universities, we question not. I hope too that no right-minded Theologian will deny that *the Universities need a very great reformation*, and that very many upright Professors sigh for it. I have in my hands longing complaints of different right-minded persons, one of whom, a Professor of Theology, lamented that he was almost weary of this system of abominations. From the Universities should the physicians come forth who should heal Babylon, but that many Universities were themselves a mere Babylon! While things are in such a condition, it is their own fault that they cannot always be spoken of with praise, or all which takes place there be praised; and if things are not amended, more of those will continually arise who will see into the corruption which there exists."

Schröckh's
balance of
good and evil
in 1807.

Defects on the
part of the
students.

96. Schröckh, after having been above 40 years a Lecturer and Professor at the University of Wittenberg, gives in 1807 the following balances of good and evil in the German Universities. His own tendency is rather to overrate a plain and rather common-place intellectual knowledge. "It^k can hardly be denied that very much which is good and noble has been produced through these great societies of learning; yet this still remains far behind the expectation which they raise. It is also markedly diminished through many wants and feelings which are peculiar to them. This is in itself a mournful, but too sure, admission, that very many young students do not clearly and distinctly know what they ought to gain at Universities, and how. The genuine method whereby sciences are to be learnt, (which is the most important and necessary matter which they have to carry away from them,) remains to a great part of them utterly unknown. For all those who only seek to give themselves a little colour of learning, in order

^k Christliche Kirchengesch. seit der Reform. vi. p. 33-36.

afterwards to act as tolerable preachers and ready stewards, *Rev. Dr. Pusey.*
 the visit which, with so much expense of time and money, they pay to Universities, is in truth wholly superfluous, for they might attain their object more quickly and cheaply through practised religious teachers and practical lawyers. If to this it be added, how many academical students accustom themselves to abide by that which they have heard and received from their teachers without advancing their whole life long, never thinking of exerting their own mental powers, we need the less wonder, that the Universities, amid the confluence of so many helps and encouragements, bear so little fruit which is above mediocrity. *Little fruit above mediocrity.* Lastly, if one considers how much morality almost unavoidably loses in these great places of instruction; how difficult, and in a manner impossible it is, to unite a gentle and becoming guidance, (although equally necessary,) with the first attempt which is there made to give to young men, who for the most part are not yet in a condition to govern themselves, the opportunity so to do, through a noble freedom; and how very often the errors of the academical life poison the remaining days of the young student, one might almost doubt whether the Universities do not cause more harm than good. *Doubtful whether most harm or good.*

96. "As much remains to be desired on the part of the teachers. More rarely than is commonly thought is there to be found among them a suitable delivery; free, yet adapted to the needs of their hearers, easy of comprehension and regular, distinct from mere reading off or declaiming. And yet without this, their lectures produce little, often no benefit at all. And how could it be otherwise, since mostly at their appointment no regard is had to the very first requirement, a practised skill in teaching; but their reputation for learning or authorship is alone taken into account? That so many academical teachers never quit their once trodden and beaten path, retain as unalterable their own system, or that peculiar to their Faculty, and lead the youth who wish to learn, not to inquiry and examination, but to an attachment to their own maxims and opinions;—this is to act contrary to their real destination. *Defects on the part of the teachers.* Nowhere is the unhappy sectarian spirit more strengthened and diffused than in Universities. To many teachers it is exceedingly flattering to become the head of a new party, or *Sectarian spirit promoted by them.*

Rev. Dr. Pusey. at least to be one of its subaltern officers; and their pupils, hot-headed enough of themselves, are so much the more readily on fire for supposed new and sublime discoveries.

Bad effects in the pulpit. They even make haste to impart, with authority, from the pulpit to the congregation, this unheard-of wisdom; but on the other hand, for the rest of their life they themselves remain behind in personal investigation of truth. With sorrow also

Want of religiousness. must one confess, that *the want of religiousness, which has become so visible in many Universities*, is in part to be ascribed to many of their teachers. In that they sought, through an assumed superiority of mind, to raise themselves above the common crowd, they gave an example which was not only exceedingly misleading for the youth, who endure with impatience even praiseworthy restraint, but which was also perilous for other contemporaries and for posterity."

German Universities need thorough reformation. 97. "All this is not the outburst of an ill-timed love of blame. One may appeal to the judgment of any attentive observer, whether it is unfounded. In part, it has already been said openly. Its only purpose is to confirm the observation made long ago, that *the Universities need a radical reformation*, and, until this take place, a searching inspection which shall extend further than the amendment of their outward mechanism."

Absence of discipline justified, not intended. 98. The absence of control was generally advocated by the Professors themselves, as allowing the character to form itself unfettered. As far as I learnt, any control came rather from the Government than from the University.

99. But, in fact, this justification of the plan of substituting information for education, and of gathering together young men at an age when temptation is strongest, without any moral or religious control, is an afterthought. People justify what they cannot mend.

Colleges for poor and good students. 100. The original provision for the care of the students was the institution of colleges. They were in the first instance indeed intended for poor students. Bulæus says¹, "The piety of this age (the thirteenth century) was not (as often in the preceding) to found monasteries, but Colleges of poor students, as common seminaries of masters, ministers of the realm, prelates of the Church or religious or monks" He recounts

¹ Hist. Univ. Par. iii. 659.

eleven such colleges, founded or at least enlarged between A. 1242 and 1304. *Rev. Dr. Pusey.*

101. Yet the object of the colleges was not simply to instruct students any how, but to be seminaries of piety and good learning. The sons of rich parents were admitted there, as here, not for the sake of income, (for they made yearly payments,) but for the sake of protection. This change Meiners^m places in the fifteenth century. Meiners even states that the protection of young students from the dangers which beset them was one of the objects of their first institution. After giving from Jac. de Vitriacoⁿ a dreadful account of those perils, as they stalked abroad then, he says^o, "The dangers which, on all sides, threaten the virtue of the young students suggested to right-minded men the thought of guarding at least a part of them from the temptations which surrounded them. They not only then founded houses in order to provide costless lodgings for poor students, but they placed in each house superintendents, who should conduct them to and from the lecture rooms, and also give heed that those under their charge should employ their time well, and act conformably to the wishes of their benefactors."

And protection of morals.

102. The colleges thus formed became the strength of the University. The University of Paris itself owns^p that "it was chiefly founded in its colleges, rested in a manner wholly upon them, and during the civil war, would itself have perished, unless it had been preserved in its colleges." Meiners says^q, "the greatest merit of the colleges was the awakening of the ancient

The strength of the University.

^m l. c. p. 141.

ⁿ Hist. Occid. c. 7. de stat. Paris. Civitatis. Vitriaco says, "At that time, more dissolute in the clergy than in the rest of the people, tanquam capra scabiosa et ovis morbida, by its pernicious example, it corrupted many of its guests who flowed to it from all sides, 'eating up its inhabitants,' and sinking them with itself in the abyss. Simplicem fornicationem nullum peccatum reputabant, &c." The whole chapter corresponds with Meiners' fearful extract which follows what I have quoted.

^o i. 107.

^p In its instructions to its ambassadors to the king A. 1445. "Præcipue aperiatur quomodo ipsa Universitas Parisiensis in suis Collegiis maxime fundata est, in quibus quasi tota residet, imo et, durantibus guerrarum dissidiis, jam ipsa periisset, si in ipsis collegiis non esset conservata." Bul. v. 536.

^q Ib. i. 141.

Rev. Dr. Pusey. literature, whereby for a long time philosophy and divinity were cleansed from much dross. It is moreover certain that in the colleges where strict discipline prevailed, as in that of Navarra, the morals of teachers and students remained purer than they had been amid unconstrained freedom in a corrupt capital." When the French parliament^r interfered (A. 1557) in consequence of the excesses of the Paris students, the University answered, "that there were numberless teachers and scholars outside the colleges, and that those excesses had taken place through them, not through the *real scholars* studying in the colleges. On this there was a royal edict, requiring all students who were not in the colleges to enter them within six days or to leave Paris." This regulation illustrates the provision of our own statute^s, which requires all scholars to be admitted within a week into some College or Hall. That statute itself assumes as a known fact that "it contributes much to the promotion of learning and ingenuous discipline, that scholars should be kept not only under public, but also under private rule."

Morals purer
thereby.

These the
real scholars.

103. The value of such homes for peace and quiet study apart from sounds or sights of vice, is touchingly attested by Chancellor Boussard, at 1519. "I came," he says^t, "a youth of seventeen to that renowned city of Paris, most celebrated throughout the world for its vices and its letters. It is Babylon itself, where first, through Thy gift, Thou ledst me to that Thy noble house of Navarra, Thy house, I say, in that, holy, and holily chaste, it ceases not to cherish for Thee young plants, which bring forth fruit in their season, and, spreading far and wide in the world, give light to the whole world."

Instruction
Collegiate.

104. In them also, as in Oxford, the Collegiate instruction very much superseded the public lectures of Professors. "The discipline of the Colleges thus growing, and in them the public profession of the literæ humaniores, Rhetoric and Philosophy, so that under Louis XI. 18 such colleges were open to all, the Vicus Stramineus which aforetime was crowded with Professors' lectures, began to be less frequented, and the Lecturing on Ethics only seemed to be retained *there*." [i. e. in the Vicus Stramineus.]

^r Bulæus vi. 493, quoted by Meiners i. 145.

^s Tit. iii. §. 1.

^t Ap. Bul. iv. 74.

^u Ib. v. 857.

105. In Germany, Meiners states that “the founders of the two oldest Universities^x, Vienna and Prague, begun the foundation by endowing Colleges for a certain number of teachers, devoting certain *quarters* of the two cities for the teachers and scholars, for their undisturbed and almost exclusive use, and by forbidding students from the very first to live apart.”

Rev. Dr.
Pusey.

Oldest German Universities began in Colleges,

106. Another institution, similar at first to our Halls, was also provided, called Bursæ. Some few were subsequently endowed. They are explained to be “Dwellings of many students together under the care of a M.A. or B.A.” “Benefactors set up in most Universities single Bursæ, where students should pay a lesser or no rent, or where, besides lodging free, they at certain times received other support. But these were every where very few. Most Bursæ were ‘Pensions,’ undertaken by Graduates, in which those who chose to enter them paid fixed prices for lodging, board and other necessities, and had to submit to certain laws fixed for the Bursæ. The Rectors of the Bursæ gave either no instruction, or only went over the public lectures with the members, or filled up their previous knowledge. For these pains the Rectors or their helpers had a special payment. The chief employment of the Rectors consisted in the care of the morals and of the domestic diligence of those under them, or the management of the money sent them for the support of the Bursaries. The duties and rights of the Rectors and members of the Bursæ made a principal section in the statutes of the oldest German universities. The rectors of the Bursæ had to promise to the Heads of the University, that they would give faithful heed to the conduct of those in their house, keep them to the speaking of Latin; close their Bursæ at the time prescribed by the University; admit no disturbers of quiet or seducers; ask of the new comers for their entrance no more than the laws allowed; permit no wild revelries or screams; receive none expelled from other Bursæ without permission of the University authorities, and lastly, attend to the decent clothing^y of the students. The Bursarii (called, later, Burschen), had to promise, not to vilify the Rector, nor band against him, but give him all reasonable

Halls in old German Universities to the same end

^x pp. 148, 149.

^y The contrary is mentioned subsequently, as an offence against which the Universities had to contend.

Rev. Dr. Pusey. obedience, and contribute to the common expenses, the same as others.

107. Those who preferred living apart to living in the Bursæ had to obtain special permission of the Rector and to pay for it 3*d.* or 4½*d.*

Held by eminent persons.

108. Colleges and Bursæ were founded in Leipzig A. 1409, and Ingolstadt A. 1472. At Ingolstadt, M.A.'s were not allowed to set up a Bursa at their own pleasure. This was only permitted to "Teachers distinguished by good conduct and eminent learning, from whom it might be hoped that students under their care would advance in virtue and knowledge." In addition to the duties mentioned already, the Rector was to be present in person at the meals, or send a deputy to see that all should be orderly, have disputations every evening after supper, visit frequently the rooms of the inmates.

109. Unruly, gamblers, or fornicators, were, after fruitless warning, to be dismissed.

110. One who did not live in a Bursa, had his Terms, only if he lived with his parents or was a servitor (*famulus*) of one *bona fide* a teacher, or had received permission from the University to live apart.

111. Meiners^a mentions that the Rectors of the Bursæ being dependent upon their students, connived at their irregularities, for fear they should leave him and go to others. But he quotes only a single authority^b, and that, a satire.

Disused in 16th century

112. "The establishment of Colleges and Bursæ, in Germany, sank not long after the beginning of the 16th century. The Universities, founded towards the middle or latter half of this century, instituted no Bursæ, and mostly no Colleges. In the older Universities where both had been originally, the Bursæ lasted on until towards the end of the 16th century."

with one exception.

One remarkable exception, however, there was, the University of Tübingen, founded A. 1477. Duke Ulrich of Wirtemberg founded a Theological College there A. 1536, where seventy students were supported A. 1547. After the thirty years' war it was restored and enlarged by Duke Eberhard III. Duke Christoph A. 1592 founded a corresponding College for education for the state.

^a Ann. Ingolst. iv. 78. ap. M. i. 154.

^a i. 159, 160.

^b Epist. Obsc. Viror. p. 528.

113. Yet the authorities of the German Universities, even when they disused Colleges and Halls, *did* wish, in the first instance, to maintain a real superintendence and discipline over the youth whom they received. When they dispensed with the Colleges, they *did* mean to substitute an efficient system for them. As far as laws went, they did what they could. They lighted on the very plan which the Commissioners have recommended for those whom they wish to have admitted into the Universities, without connection with the Colleges.

Rev. Dr. Pusey.

Superintendents of students substituted.

114. The cases are strangely parallel. Meiners expressly disclaims the idea that "the Reformation^c destroyed Colleges," or that "such institutions were incompatible with the spirit of Protestantism." Colleges were (except at the University of Tübingen) not founded in Germany after the Reformation, and the old ones were allowed to decay. Meiners accounts for it, partly by the absence of funds, partly that they were "opposed^d to the spirit of the times, awakened by the study of the old literature." This he himself explains to be, that the Colleges held to the old system of teaching. The revivers of the ancient literature, either despairing of, or failing to gain the Colleges, set themselves to withdraw their pupils from them. Meisner quotes^e a satirical account of the desertion of the Colleges, even at Cologne, to attend the new teachers. The writers of the *Epistolæ Obscurorum Virorum* triumphed in their victory over the Colleges.

Colleges not destroyed by the Reformation,

115. "But, if this was the case," says Meiners^f, "in an old University (Cologne), it may readily be imagined that in the new Universities at Königsberg, Jena, Marburg, and Helmstadt, where they were intent on setting up the old literature against the scholastic philosophy and theology, and to allure young people by all lawful means, no one would dream of subjecting the youth of the Universities to the constraint of Bursæ and Colleges, against which they had long struggled at the older Universities." "Even if Colleges were founded at the younger Universities, they were destined either for boys, not as yet ripe for scientific instruction, or for a small number of poor, who had to submit to any conditions. From the other students

but by the new studies.

^c He contradicts expressly (i. 166.) Hafner de l'éducation publique p. 6, who, he says, asserted it.

^d P. 180. ^e From the *Epistt. Obscuror. Viror.* p. 400 sq. p. 444-7.

^f i. 179-85.

Rev. Dr. Pusey. it was only required, that those who were not yet enough prepared, and those who could not yet guide themselves, should choose especial superintendents. Still, young people could lodge and board where they would. The Professors let lodgings, and boarded them, like other citizens. The teachers, who did so, had not nor did they use any inspection over those who lodged and boarded with them, as the Rectors of the Bursæ did formerly. On the contrary, those who so lodged and boarded, held themselves privileged to many preferences and extravagances, which those who lodged and boarded with the citizens could not allow themselves. The greatest part of the students obtained in the sixteenth century the old Academic freedom, and this freedom quickly and *every where degenerated into an unheard-of dissoluteness*, as the University laws of those times shew."

Various degrees of strictness.

116. "The regulations as to the superintendents and teachers, whom the students were to choose for themselves, or who were to be set over them by the University Authorities, were not equally strict in all Universities of the sixteenth and seventeenth centuries. At *Königsberg*, in the seventeenth century, those only who had some endowments (*beneficiati*) were bound to choose for themselves some Professor, whose counsel they were to follow as to the hearing of lectures, and their whole way of living. To others the Rector could only suggest whether they did not think it better, to seek out for themselves some teacher, whom they might consult about their studies. The University of *Wittenberg*, A. 1562, in the 'Warning to avoid manifold and destructive borrowing,' warns and exhorts Parents, Friends, or Masters to give to their children and friends certain Preceptors, or other honourable people to give heed to them^e. In a 2nd Edict, A. 1571, private teachers were recommended only to the ignorant, who knew little or no Latin. The teachers were exhorted to do their duty much more earnestly than the learners^f." The oldest statutes at *Jena* enjoined that the young students should hear their private teachers as much as possible; but that poor youths, who could not pay such teachers, should keep to the Public Professors, that these might advise them. In the enlarged statutes of 1569, it was enacted that no young student should be without an inspector studiorum et

^e Meiners, iv. 76.

^f Leges Witeberg. A. 1571. p. 47.

morum, and that for any who had none, one should be appointed on the part of the University. The poor were to be counted in among the wealthy. According to the several statutes of *Tübingen* of 1601, the Deans or faculties were to call together their students at certain times, and inquire how they studied and lived; where they lodged and boarded; what lectures they heard; what private teachers they had; to what Professors they were recommended. It was enacted that 'young men, not Masters or Doctors, are not to be allowed to wander alone, without Master or Preceptor, unless in the judgment of the College, any one be deemed able to guide himself, and his past life have given good hopes and estimation of him.' The statutes exhorted all Professors to admit students to their tables and under their care, and if not the former, at least the latter. Of private teachers it was said, 'Let them have the same table and lodging with the pupils, or have them near them in their studies and conversation.' Rich parents might give such instructors what they pleased; from the poorer the private teacher was not to ask more than 6 gulden. At *Frankfort-on-the-Oder* young students were advised in 1683 to choose one, 'the guardian of their morals and director of their studies.' Subsequently, the directions and advice as to the choice of superintendents, private teachers, or advisers, were left off, because they were found to be useless. At the *Prussian* Universities, even in the last [eighteenth] century, the above directions were renewed. But the last directions were as unavailing as the former, and their observance was not pressed. All *German* Universities, until the end of the 17th century, adopted the Statute, that the students generally, or at least the younger, who could not govern themselves, should have *Præceptores* or *Inspectores morum*.

Rev. Dr.
 Pusey.

All abandoned
 as useless.

117. "The lodging^h and boarding of the students with the Professors lasted much longer than the enactment, that every student must have a special superintendent. The authorities of the Universities encouraged the lodging and boarding of the students with Professors, although a long and weary experience shewed that the relation of the Professors as hosts to the students was one of the chief causes of the relaxation of discipline." "It became also a source of unceasing disputes among the students themselves." The prerogatives of those who

Lodging with
 Professors
 kept, but mis-
 chievous.

Rev. Dr. Pusey. lodged with the Professors were in part ludicrous, in part betrayed absurd pride, in part (as the permission to take their dogs into church) were profane. The very regulation as to the private preceptors was based on the acknowledgment of the principle, that the Professors were not, and could not be concerned with the individual care of the students. In an Edict, A. 1571, the University of Wittenberg complains^b: "Hitherto we can in no wise bring about, that students should not wander about without any fixed Preceptor. We hear that some fathers are so simple as to think that our College and the public Professors can privately also have regard to individuals who are sent here. Which expectation how unreasonable it is, all understand who either now live or have lived among collections of students." They mention incidentally that the preceptor was very often sent away at the first complaint of the student.

118. The institution then in different ways degenerated. Meiners says^c, "The most mournful thing of all was, that the superintendents did not accomplish what they ought. Very many of them passed days and nights in public houses and taverns, and let the youth intrusted to them live in the same way."

119. "Others^d overloaded themselves with so many lodgers and boarders, and gave so many lectures, or employed so much time in the study of some higher science, as Medicine, or Law, or Divinity, that through their many household or learned employments, they could not trouble themselves about their pupils, but left them to their unrestrained passions."

120. "Others^e again feared, lest a strict superintendence should alienate their pupils, and induce them, or their parents or guardians, to choose another preceptor; a fear, which must of necessity produce too great lenity."

121. "Far^f the most, finally, charged their pupils so high for board, lodging, liquors, bed, washing, wood, that it occasioned intolerable grievances to the parents and guardians of students."

122. "Towards^g the end of the 17th century, both the Heads of the Universities, and the parents and guardians of students, began to see, that there was no gain, but rather loss, in commending crowds of young people to single Inspectors

^b Ib. 60.

^c Ann. Ingoldst. iv. 296. 309. ap. Meiners, iv. 86.

^d Ib. 306.

^e Ib. 306.

^f Ib. 307.

^g Ib. 94.

or Preceptors, or to bring them to the house and tables of Professors. The lawgivers of Universities insisted no longer on giving students to the care of Preceptors, and they no longer exhorted Professors, as they did formerly, to keep a table for them.”

*Rev. Dr.
Pusey.*

123. The strange close of this regulation is itself instructive. As the Colleges and Halls were done away with, there were fewer Masters. “Since few^h scholars took the degree of M. A., the younger students could not, as in older times, choose or obtain Masters for their superintendent.”

Young students given in charge to elder.

“More and more, the new comers chose older students, especially their countrymen, for their superintendents, or had them appointed to them. From these relations of the older and younger students arose, at the beginning of the 17th century, Nationalism and Pennalismⁱ. The older students from one or more provinces, soon began to form, under the names of nations or Landmannschaften, secret societies, and to exercise an intolerable despotism over those commended to them. The whole body of students, especially in Protestant Universities, was divided into Nations, which had their statutes, archives, bureaux, magistrates, and subjects. The ‘Nations’ were divided again into Schorists and Pennals, of whom the former were the most savage tyrants, the latter the most abject slaves. The Schorists robbed the Pennals not only of their money, clothes, linen, and books, but of their time also, in that they compelled them to do the most menial offices, and kept them by force from their studies. The Pennals bore with the most fearful ill-treatment and plundering, in hopes, at the end of their Pennal-time, to make up for their losses, upon others. All Universities and all Estates in Germany, contended for more than a century against the Nationalism and Pennalism, before they succeeded in rooting out even the most pernicious abominations of both. They gained this victory, not *before the middle of the 18th century*. About this time, the divisions and titles of Schorists and Pennals disappeared; the ludicrous or

Fearful evils.

Long continuance of the evil.

^h Meiners, l. iv. c. 2. T. iv. p. 160.

ⁱ The title is from Pennal, “a penholder,” which the junior students carried for the senior. Meiners says that he had given the history of the Pennalism of old, as also of the more recent Orders, especially at Göttingen, together with the history of the most remarkable tumults at Universities, in the Göttingische Annalen, B. 1 and 2.

Rev. Dr. Pusey. corrupting ceremonies with which they they were received or set free—their disgraceful servitude and the hangman's robberies and deeds of violence, which had been before practised towards them. At the same time, at many Universities the secret unions of landsmen continued ^k, and if these unions did not do so much evil as in older times, they still did mischief enough to attract the attention and apprehension of the University authorities."

Continued
corruptions,

124. The Edict of Jena ^k in 1765 specifies, as evils of these associations, the weekly meetings in cellars, or public houses, partly for excess, and especially to take new comers to disorderly places, compelled duels even with friends in other associations, extortion of money. The edict was repeated A. 1767 against societies under a new name, and again in 1778 and 1795¹. Meiners says, "For the last half century such associations are found more in Protestant than in Catholic Universities; in the smaller or middle sized, than in the larger Universities; and among the larger, more where many poor studied, or discipline was relaxed and unequal." Yet the University at Göttingen in 1762 had to make statutes against it on the same grounds as Jena. Meiners mentions the like laws at Kiel 1774; Rostock 1750; Erfurt 1792; in Prussia; Altorf 1795; and he thinks that those at Dorpat were too mild.

Length of
their dura-
tion.

125. These evils lasted for centuries. ^m "In the 16th, 17th, and even at the beginning of the 18th centuries, few—I say not months or weeks, but few nights passed, in which large crowds of armed disturbers of the peace did not collect, go screaming through the streets, force in windows, storm private and public houses, especially prisons and senate houses, attack watchmen, misuse passers-by, nay even desecrate the dead in the graves." Meiners enumerates "tumult-decrees," from one at Wittenberg A. 1571, downwards. Of Halle he says, "ⁿ Such tumults were beyond comparison more frequent and dangerous in the first generation after its foundation A. 1694, than in later times. Students mobbed, not by night only, but by day; broke into the lecture-rooms, compelled the diligent to take part in the confusion. They attacked not the city-watch only, or those by whom they thought themselves injured, they stormed the houses of magistrates, and destroyed

^k Meiners, iv. 164-175.

^m Ib. iv. 175, 6.

¹ The date of the work is 1804.

ⁿ P. 180.

every thing, in which commonly the plunder-loving populace helped them." A catalogue of edicts against this wildness is given down to 1747. Of Göttingen he says, "Even our most recent laws would have effected little without a strong police." "The Prussian laws are earnest enough; but according to the testimony of one who knows the Prussian Universities, the disturbances of the public peace were, at least a few years ago, much more frequent than elsewhere."

*Rev. Dr.
Pusey.*

126. Such were in Germany the results of abandoning the discipline of Colleges and Halls, and substituting for it a discipline such as the Commissioners propose. This frightful state of things began long before the thirty years' war (1618–1648), and continued long after its close. Meiners, who himself records all this, and more than this, himself declares against the Collegiate system everywhere, chiefly on the authority of a libellous pasquinade, published in Oxford in 1726. He owns that he knows not what the English Universities were before or afterwardsⁿ. It is remarkable that *the* University which alone in Protestant Germany retained the Collegiate system, Tübingen, was acknowledged by Germans themselves to have been distinguished by its orderly character, as well as, amid the chaos of Rationalism, by the soundness of its faith. Pious Germans, in 1825, spoke of it with interest and respect, and, at the same time, directed my attention to it, as having through its Colleges an English character.

German testimony to their value.

127. Spener wrote "that^o it would greatly contribute to the better filling up of the offices of the evangelical church, if there could be Cœnobia [i. e. Colleges for Candidates for Orders] in good number, as a sort of seminaries for the service of the church, and that he had often conferred with the wise and Christian Herr von Seckendorff, that one of the best means to bring the office of preacher, in any land, to the condition to be desired, would be that in every province or land, there should be such a cloister, in which a number of students could be supported proportioned to the extent of the land, from which all vacant places should be supplied."

128. I have dwelt upon the German Universities, as having

French University since the Revolution of 1789.

ⁿ "We know [A. 1802] much better what the English Universities actually *are*, or were a century ago, [i. e. A. 1726,] than how they gradually became what they *are*." i. 169.

^o Letzte Theol. Bed. iii. 44.

^p Evidence, p. 45.

Rev. Dr. Pusey. long studied them, and observed the effects of the system both in history and in the present. Mr. Pattison, I observe, makes the same allegation against the French and American systems^p; and so long as those who had been educated in the French Roman Catholic seminaries were compelled to attend the French Universities, I have understood that their teachers had too often to mourn that those whom they had carefully trained became, under the influence of the Universities, infidels.

129. The following summary has been obtained for me from a very eminent and religious layman^p in France. His name would give weight to the statement as to the irreligious character of the University teaching, but I received no specific authority to give it. It appears from this statement, that the laity of the Church, as soon as they have been set free from the monopoly of education by the State, have reverted to the education of the laity in Colleges which had been destroyed by the French Revolution :

Colleges re-
stored in
France.

One French
University,

in the hands
of Govern-
ment,

irreligious,

resisted by the
Church,

to save the
young from
infidelity.

“i. There are no French Universities since the Revolution of 1789: there *is* or there *was*, since Napoleon’s creation in 1806, *one* University of France, *exclusively* empowered to educate the whole nation (except the Clergy).

ii. This University, (i. e. the official administration of education throughout the whole country,) was exclusively in the hands of Government; *all* Professors and under-masters being named and paid by the Minister of Public Instruction (a member of the Cabinet).

iii. This University was extremely irreligious and anti-clerical, particularly in the upper classes of Professors.

iv. During twenty years, (since 1830,) *we*, the Catholics of France, being encouraged by our bishops, have struggled *in* and *out* of Parliament, to destroy the *monopoly* of the University, and to obtain a *right* for *everybody* (under certain legal qualifications) to educate children of all ages.

v. This right, which was specially desired by the clergy in order to save the young lay generations from the infection

^p The same eminent person referred me to the following works for fuller information: 1. Histoire de l’instruction publique de France par Henry de Riancey, 2 vols. 8vo.; 2. Discussion sur la loi de l’enseignement à la Chambre des Pairs en 1844, 2 vols. 12mo.; 3. La vérité sur la loi de l’enseignement 1850 par Monsgr. Parisis, évêque de Langres; 4. Rapport sur l’exécution de les lois de 1850 par le Comte Beugnot (in the press).

of infidelity, was at length extorted from government by the Conservative majority of the late National Assembly—and since the last law of 1850 every bishop has his own *lay* college, and the Jesuits have sixteen colleges. But all the former colleges belonging to the State are still in existence.”

Rév. Dr. Pusey.

130. The case of Germany is so much the stronger, by reason of the natural character of the people. The Germans are, by natural character, noble, generous, full of feeling, thoughtful, earnest, clear-minded, laborious. The system of their Universities has been as a blight upon them. Much, of course, of the picture must re-appear any where, where young men have to learn, what, through the remaining corruption of nature, they are unwilling to learn, to govern themselves.

University system a blight of natural excellence of Germans.

*The great and special failure of the German Universities has been, that the young man has been left unprotected, unaided, unfostered, surrounded by no religious influences, except during the short-lived *collegia pietatis*, devised by Spener, whose temporary success shewed how much, under a better system, might have been done for the noble German mind. The youth was thrown upon himself morally and religiously, while his whole instruction, if his destination was to law, medicine, or the instruction of youth, lay apart from religion or morality; if his destination was to be a preacher, it was mostly a dry intellectual delivery of doctrines, full of controversy, with little exercise of his own mind. The want of discipline and religious training was a natural part of the Professorial system. For the object of that system was only to communicate knowledge. It was then in keeping with it, and a natural result of it, that, what did not belong to it, was abandoned. The Professorial system trained Professors, not guides of youth. Luther appears to have expected that the study of the Bible would form part of the University system, and to have depended upon this. “I greatly fear that high-schools [Universities] are great gates of hell, if they do not diligently use Holy Scripture, and drive it into the young people.” The utter neglect of Holy Scripture, even for theologians, was again and again the complaint of earnest minds within a century after the Reformation.*

German Universities do not attempt to give moral or religious help.

Natural results of the Professorial system.

131. I see, then, no result, intellectual, moral, or religious, for which we should be invited to imitate the plan of the

The loss not compensated by any gain.

Rev. Dr. Pusey. German Universities. We have been told much of their powers of speculation and their philosophy. We may ask, which they would recommend to us? They have tired, we are told, of all. Or is it for their sacred criticism? We might ask again, in what theory as to Holy Scripture, or any part of it, they acquiesce? or their research? We might ask what modern history they would give us in preference to our own? or Ethics? we may still ask, what system they adopt? We have been told that "*we* have no history of doctrines^r." We may ask, what doctrines they are agreed upon? Since the result of research, diligence, instruction, is assured and solid knowledge, we may well abide by our own system, until we see, not in theory only but in its fruits, that another forms the mind more solidly, maintains its independence better, while aiding it to think aright, encompasses it with religious influences without forcing it, or yields more solid religious knowledge than that contained in our English divines, the ultimate result of the training of our Universities and of residence in them.

No other University system can shew better fruits than ours.

132. We have abundance of theories about the Professorial system. We have no facts of its having produced any but evil fruits. The training of our youth, the intellectual, moral, religious formation of their minds, their future well-being in this world and the world to come, are not matters upon which to try experiments.

Recom. 10. Residence of members unconnected with Colleges or Halls.

133. The Recommendations of H. M.'s Commissioners upon which these observations chiefly bear, are the 2nd, 3rd, 10th, 12th—17th. Of these, the recommendation which would most change the character of the University is the 10th, "that the provision of the Statutes, by which all members of the University are obliged to belong to some College or Hall,—should be annulled."

Mistakes involved in the Inquiry.

134. In the Inquiries, upon which this recommendation is based, two mistakes were virtually implied. The form in which the subject was proposed was:

"6. The^s means of extending the benefits of the University to a larger number of Students."—

"iii. By allowing Students to become Members of the University, and to be educated in Oxford under due superintendence, but without subjecting them *to the expenses incident to connexion with a College or Hall*:"

^r Report, p. 71.

^s Evid. p. 2.

“iv. By *admitting* persons to Professorial lectures, and *authorizing* the Professors to grant certificates of attendance, without *requiring* any further connexion with the University.” Rev. Dr. Pusey.

135. The Commissioners assumed as certain that “members of the University were subjected to expenses, through the connexion with a College or Hall.” Several of those who gave evidence pointed out that this was a mistake. The *necessary* expenses of residing in a College or Hall have been overrated ; that of residing in lodgings in Oxford, (where in consequence of the fewness of houses fitted for the purpose, lodgings are very dear,) has been estimated by the expense elsewhere, where both lodgings and provisions are cheap. At least, such cases are the only cases cited in the Report. In Aberdeen, which the Commissioners put forward, it is expressly said “the lodging^s is very cheap there,” and the students spoken of had those hardier frames which could live on oatmeal only, without animal food. They are expressly spoken of as such as could and did “work at farm-labour.” The Commissioners express a hope that, upon their system, “such brave struggles might perhaps be witnessed too.” “Brave struggles” there have been already. I have known cases in which the dinner was from time to time given up, because the student could not pay for it. But the experience of those who have, on religious grounds, abstained from animal food on the fast-days of the church or during Lent, shews that English frames cannot ordinarily bear more abstinence from meat than those days amount to ; and that very few, especially among young men, could, without suffering, pass the forty days of Lent without meat. But if meat, which is the main expense of food, is eaten, then it can be provided more economically for a body of men than by an individual for himself.

Supposed economy of this plan.

Mistakes in data.

Hard fare suggested im- practicable.

136. But, further as to expense, Mr. Pattison, who is one great advocate of the measure, urges as an argument against new halls, that “in Oxford rent and prices are artificially enhanced by the long-standing University monopoly.” He states also, that “this has been matter of complaint from the very earliest days of university existence, and is inherent in the nature of the case.” Mr. Jowett states, “No^u doubt it

^s Report, p. 49.

^t Evid. p. 42.

^u Ib. p. 33.

Rev. Dr. Pusey. would be possible for a student to live more cheaply than at present in a small lodging, (chiefly because he would feel that no regard for appearances was necessary,) but not so cheaply or comfortably as, with good management, he might be provided at a common table. From what I have heard, I imagine that the experience of the Scotch and German Universities is not favourable to such a plan."

Halls may be cheaper than lodgings.

137. The plan, then, cannot be necessary, even on this very ground of cheapness. The Colleges do not look for a return of the interest of the money laid out on *their* buildings. Proprietors of houses to be let look for a return of eight per cent. on theirs. Besides this, there is the profit of the intermediate tenant. Lodgings again are the dearer in Oxford, because the whole profit is to be made during half the year. During the other half-year, they are rather an expense to their owners. Yet it is not proposed to lengthen the terms. This disadvantage therefore would remain. The very number of the Colleges also limits the number of houses near the centre of the University. The more distant places where poor lodgings might be had more cheaply are in the worst and most immoral parts of Oxford. But, as to this, it may suffice to say, that two persons^x of experience in this place, set the necessary expenses of a student at such Halls as have been spoken of, at about 46*l.* or 45*l.*; another^y names 60*l.* per ann. as "the sum at which all academic and domestic charges might be cleared in a Hall established in independence of any existing foundation." In the above sums of 45*l.* and 46*l.* are included for University dues and Professors the sums of 7*l.* 10*s.* and 8*l.* which would equally belong to any University student living in the town. The expenses of the Hall, then, are supposed to be 38*l.* 10*s.* and 38*l.*, including washing and fring.

Expense in Halls.

138. Now the only practical way of ascertaining the relative economy of the two plans, is plainly not (as the Commissioners have done) to ascertain the expense in some other city, town or village^z, but in Oxford itself. And as to Oxford itself, it must be borne in mind that the influx of fifty or one hundred

^x Rev. F. Temple, Evid. p. 127. Rev. W. C. Lake, p. 170.

^y Rev. D. Melville, p. 58.

^z They instance Aberdeen, the village of Chalvey, and "a town of the same size as Oxford." Report, p. 81.

students would very materially increase even the present price of lodgings in Oxford. *Rev. Dr. Pusey.*

139. In order to take even this ground, (of little account as it is, when the question is about people's minds and souls,) I have inquired as to the actual price of 1. lodgings in Oxford, if two rooms, a bedroom and a sitting-room, are taken for the whole term or for several terms; 2. firing; 3. attendance; 4. board. In lodgings.

140. The result is, that of lodgings^a, there are a very few at 10s.; more, but not many, at 12s.; others varying from 16s. to 2*l.* 2s. Firing is, at an average, 5s. per week for one room. Attendance 1*l.* 1s. a term. Board, of the very plainest kind, (including meat once in the day, without puddings, wine, or beer,) from 15s. to 25s.

141. Taking then, nearly the lowest price of lodgings, the result would be—

Lodgings for twenty-seven weeks at 12s.	16 <i>l.</i>	4s.	0
Board for twenty-seven weeks at 15s.	20	5	0
Firing for eighteen weeks at 5s.	4	10	0
Attendance	3	3	0
Washing	3	0	0
	47	2	0

This sum already equals that estimated by two different persons as the necessary expense of a hall.

142. Since this class of students would be entirely dependent upon Professorial teaching, and the Commissioners recommend “that^b Professors and Lecturers should be allowed to receive fees,” it is plain that the sum paid to Professors and

^a The following average is the result of a good deal of inquiry :

Lodgings in St. John Street, Alfred Street, Walton Terrace, from	per week.		
(Some six or eight at 10s.)	0 <i>l.</i>	12s.	0 to 0 <i>l.</i> 19s. 0
Beaumont Street, Broad Street, Holywell. .	0	16	0 .. 1 5 0
St. Aldate's	1	1	0
Corn-market, Pembroke Street, Oriel Street, Grove Street	0	18	0 .. 2 2 0
High Street	1	5	0 .. 3 3 0
Speedwell Street	0	10	0 .. 0 16 0

Average of
lodgings in
Oxford,

^b Recomm. 18. p. 258.

Rev. Dr. Pusey. Lecturers must be much increased. Add to this, that it is known that those who let lodgings, raise the price to young men, partly because it is supposed that they can afford it, partly because they are likely to be careless as to the wear of furniture and the like. But if the lodgings, (as they would be certain to rise,) were set at 16s. (and few are to be had at the lowest price), and the board at a medium 1*l.* per week, the result would be—

Lodging for twenty-seven weeks at 16s.	21 <i>l.</i>	12s.	0
Board for twenty-seven weeks at 1 <i>l.</i>	27	0	0
Firing	4	10	0
Attendance	3	3	0
Washing	3	0	0
University dues.	2	0	0
Professors	6	0	0
	67	5	0

This last sum exceeds by 7*l.* 5*s.* that calculated by Mr. Melville for an independent Hall.

Proposed superintendence of young men.

143. But even this lesser sum presupposes, what the Commissioners do not presuppose, that the young man is without superintendence of any sort. “We recommend,” they say^a, “that such lodging houses should be placed under the special superintendence of University officers, to be constituted tutors or guardians of the University students. Their stipend might be made up by a small annual payment from each of their wards, or, if the University should have the means, supplied by the University itself. Their duty would be, so far as the case permitted, to acquaint themselves with the character and circumstances of these students, and to take all means in their power for exercising over them a due moral and religious superintendence.”

Care of students in lodgings impossible.

144. This recommendation could manifestly only be efficiently carried out, if the lodging houses were virtually Halls, i. e. houses which could contain many students. For it would, of course, be impossible that any thing which could even be termed,—and I will not say, as they do, “a *due* moral and religious superintendence,” but—any superintendence, worthy

^a Report, p. 53.

of the name, could be exercised by an itinerant tutor or guardian, paying domiciliary visits, which must, if they assumed a character of discipline or superintendence at all, have the character of espionage. At present, the student's room has the proverbial character of "the Englishman's house." Unless he be guilty of some gross overt disturbance, or there be some very flagrant act, it is thought best that his rooms should be held sacred. It is thought best to avoid even the suspicion of suspiciousness. Detached rooms in lodging-houses could only be superintended by visits which would often be embarrassing to both parties.

*Rev. Dr.
Pusey.*

145. But as to the economics alone of such a plan, there are but few such houses in Oxford, and the remunerating rent of rooms in them must be raised higher than I have stated. Some years ago, a house was taken for Bachelors of Arts, in order to encourage them to reside for Theological study; but it was found disproportionably expensive, because it, like most other houses in Oxford, was built as a house for a single family, not for a number of lodgers.

Bad as economy.

146. Then as to the stipend of the supposed Guardians of the University students, if we suppose that Fellows of Colleges will undertake it gratuitously, then we may much more suppose that they would undertake gratuitously the much more hopeful office of the care of new Halls; so that the supposed 38*l.* or 38*l.* 10*s.* for the new Halls may be further diminished. If, as the Commissioners suppose, the Guardians are paid by the University, so might the Tutor of a Hall; if by a small payment for each of their wards, the 67*l.* 5*s.*, which is the average of the residing in lodgings, will be to be increased.

Increased expenses.

147. The difficulties of the system of lodgings, even as to economics, is remarkably illustrated by the early history of Universities. Mr. Pattison mentions, that "A^b fixed tariff, both for lodgings and provisions, was agreed upon between the University and City at least as early as 1194, and afterwards ratified by a brief of Nicolas, Bishop of Tusculum, Papal Legate in England in 1214."

Early difficulties as to lodgings.

148. Meiners states broadly, that one object of the institution of Colleges was to obviate the exorbitant expenses of lodgings in frequented Universities. "The^c celebrity of the

^b Evidence, p. 42, note.

^c T. 1. c. 4. p. 105, 6.

*Rev. Dr.
Pusey.*

Manifold re-
gulations of
price of
lodgings.

first great teachers in Bologna and Paris drew together in a few years from all parts of Europe thousands of strangers anxious for instruction. Large as these cities may have been, they were not built so as to lodge conveniently such large crowds of youth and men, for the most part rich and noble, both at Bologna and Paris. The students made loud complaint of the high price of lodgings, and there were unceasing disputes, partly between the inhabitants and the students, partly among the students themselves, the richer of whom outbid the less rich, and so made the quarters dearer, or expelled the lodgers. These complaints and disputes occasioned in Bologna, Paris, and *the other University-cities*, manifold laws as to the settling of the prices, the duration of the hiring, and the mode of giving warning. Among these laws none was more common than this, that every year ‘two^d Masters and two Burghers chosen for this end, with the consent of the Masters, and under oath to fulfil their office faithfully, fixed the price of the lodgings, and that the owners of houses were compelled to admit teachers or students into their rooms at the prices fixed by these authorized valuers. This law occurs in the *Privileges or statutes of all Universities* founded in the thirteenth or fourteenth centuries^e.” The subject was of so much moment that it was sanctioned by kings; and Pope Gregory IX, A. 1231, wrote to the king of France to ask him to execute his provisional arrangements. It appears from this Epistle, that the arrangement was sometimes made by the Masters only. The Pope asks, “^f if the Burghers do not care to be present, will you allow the lodgings to be rated by two Masters, *as hath* been customary, since otherwise they would be obliged to hire lodgings too dear?” The same Pope required the Clergy and Religious to submit to the same regulations. The Mandate, addressed to the Archbishop &c., of Sens sets forth the previous difficulty: “Our ^g beloved sons, the Masters and Scholars of Paris, have set forth to us in their

^d Ep. Greg. IX. ad Reg. Franc. ap. Bul. iii. 143.

^e Meiners refers further to his *Vergleichung des Mittel-Alters* ii. 521.

^f l. c.

^g Ap. Bul. iii. 160. The preface is repeated verbatim in an Ep. of Innocent IV. A. 1237, especially naming the Templars, Hospitallers, and Præmonstrants, Ib. 196.

petition, that whereas they were formerly *intolerably burdened* *Rev. Dr. Pusey.* in paying the pensions of their hospices, *at last*, by the consent and pleasure of the king, they have with thoughtful deliberations appointed careful persons as Valuers to this end. But since some religious and secular Clergy, who had houses at Paris, do not allow their houses to be valued, which has occasioned great scandal among the citizens, they have requested that a provision be made herein by the Apostolic see. Since then it is unworthy that Religious and Clergy should raise difficulties in this matter, in which they ought in good-will to outvie others, especially the laity," he directs the Archbishop to appoint valuers for their houses.

149. A. 1244. the University enacted several statutes about hiring or retaining houses and schools, and forbad any one from retaining schools above the valued price. They provide, "if^h any host will not give his hospice at the fixed price, and a scholar offer to give that price, with competent security for the payment, let that house be interdicted for five years." Other arrangements.

150. A. 1277 they passed other statutes on the same subject, "inⁱ order that the privileges obtained by the University, as to the valuing houses and schools, may be retained more fully, and all frauds be wholly excluded."

151. Even before the institution of Colleges, Meiners says, that "every^k numerous nation" in Paris had not only quarters, but hospices also, or houses, and rows of houses, where they commonly took lodgings, and dwelt together.

152. Even on this narrow ground of expense, then, I believe that the Commissioners have recommended an inferior plan, fraught with difficulties (such as past experience shews to have been very great,) and for which Oxford is especially ill-suited, lodgings near the centre of the University being expensive, and the parts where they would be cheaper being undesirable.

153. The other mistake of the Commissioners was to assume that, at present, persons cannot be "admitted to Professors' lectures, open to persons, not members of the University." Professors' lectures, open to persons, not members of the University. fessorial lectures, or the Professor grant certificates of attendance upon their lectures, without requiring further connexion with the University." There is, in fact, no such hindrance,

^h Bul. III. 195.

ⁱ Ib. 433.

^k P. 108, note d.

Rev. Dr. Pusey. nor do the Professors need any fresh authority. It is our duty to give lectures to the members of the University; there is no hint in the Statutes, precluding us from admitting those who are not members. It is a State regulation in the German Universities, that a person cannot, even privately, receive lectures from a Professor in his house, unless he become a member of the University. One of the early edicts in the *Scripta Publica Witteb.* is against this practice, as contrary to the law. This is so much enforced now, that even a foreigner, above the age of students, cannot legally attend even a private lecture, without becoming a student. We have no such restriction. What value may be attached to our certificate, depends upon others; but we are wholly free both to admit persons, not being members of the University, and to give them certificates of attendance, if it be wished. Such persons used thirty years ago, habitually to attend the lectures in Human or Comparative Anatomy; and have, ever since, as also the lectures in Chemistry. In the Evidence, Dr. Daubeny¹, Dr. Acland^m, and Professor Walkerⁿ, respectively, state it to have been their practice to admit to their lectures persons who were not members of the University. It is doubtless also the practice of the Professor of Medicine. The Bishop of St. Asaph, who so long took part in education here, says, "Strangers^o are now admitted to attend any public lectures;" Professor Walker says, "I believe that many Professors now admit any one, properly introduced, i. e. so as to insure respectability, and a desire to profit." Professor Donkin says, "I think^p that the admission of persons to Professorial lectures, without further connexion with the University, as a matter of *right*, would have a tendency to lower the character of the lectures; because such persons would have a right to expect that the lectures should be adapted to the standard of their previous acquirements and intellectual cultivation. As a matter of *favour*, I believe the admission of such persons is at present seldom refused when it is requested; but it is understood that the lecturer is at liberty to adapt his teaching entirely to his academical auditors." I never felt any scruple in admitting such to my own lectures.

¹ Evid. p. 267. ^m P. 284. ⁿ P. 22. ^o Evid. p. 164. ^p P. 137.

154. The recommendation of the Commissioners is wholly different. It is not the question, whether any persons not being members of the University, should be admissible to derive what benefit they may from Professors' lectures; but whether the principle of Professorial teaching, as wholly distinct from and a rival to the Collegiate system, shall be admitted. It does not relate to any intellectual benefit of the class of persons contemplated, nor, whether those so educated shall have any advantages out of Oxford, in their several occupations or Professions; but whether such a system shall be an integral part of the University, and those who receive this superficial knowledge, shall have whatever stamp the degree gives. In a word, it is whether our Universities shall, more or less, in whatever degree the plan prevails, be assimilated to the Continental.

Rev. Dr. Pusey.

Proposal to set up a distinct system.

155. Doubtless, such a plan might be popular. For it falls in with the tendency of the present day to look to mere knowledge, not to the discipline and training of the powers of the mind, as the one end to be attained. Knowledge is not education nor its main end. Not actual knowledge—but the power to acquire, discover, use, combine, wield it; is, even as far as relates to knowledge itself, the end of education. And yet, popularly, education is thought to have no other end, than this which is not its end. The plan would coincide with the practical side of the English character, which goes directly to its end, and which hardly understands how any thing can be of use which does not directly bear upon it. This tendency would probably have overthrown the University system long ago, which itself holds it in check, but for that other side of the same practical character of our nation, not to trouble itself about abstract principles, so that the result be good. The English have been contented with the University system, although not understanding how it should work well, or what *could* be the benefit of such abstract studies, as Greek or Latin, the old Philosophy, Logic or pure Mathematics, to a statesman, a lawyer, or a physician, because they have seen from the fruits of the system, that it *has*, for a long time, worked well, in producing “persons qualified to serve God in Church and State.” But the bad effects of an inferior education are seen only slowly. Its promise to the English mind

Plan perhaps popular because superficial.

Present system has been upheld by its fruits.

Rev. Dr. Pusey. would be great, in that such a plan would hold out the expectation of a direct professional education, instead of what seems the circuitous and toilsome mode of disciplining and forming the mind intellectually and morally for future service, through means which do not directly bear upon it. People know that future soldiers do not need to be drilled from boyhood, and that whatever strengthens the frame and makes it active, fits it for future duty. They do not understand that whatever calls out the varied powers of the mind, prepares it most effectually for life's future duties, and so they would risk stiffening it by an untimely employment upon a limited and cramping study.

Early direct
Professional
study inviting,
but mistaken.

Plan perilous
to morals.

Duty of Uni-
versity to pro-
tect, as far as
it can.

Colleges a
protection to
those who
will.

156. But, it is certain also, that such a residence at large, i. e. out of the Colleges, would be perilous to the moral character of the young men themselves. It is no answer to say (as is urged in the Report) that there is sin already. It cannot be otherwise, amongst a number of young men, at a time of life when temptation is strongest. We have no ground to expect that all will be under the influence of religious principle, or that any outward helps will be effectual without it. The University is not responsible for the *results* of its discipline. It *is* responsible that it should interpose what fences it can, between those committed to its care and open sin. The Report says¹: "Morality is not secured by residence within College-walls." "Morality," of course, *can* be "secured" by nothing, but the fear and love of God, and the power of His grace. But it would imply utter ignorance of human nature to infer, that, because we cannot "secure morality" by any mere outward safeguards, therefore outward safeguards are useless. It contradicts the common sense of mankind. The forms of society which, in the upper ranks, place a number of restrictions upon the freedom of intercourse, even where peril would be least apprehended, attest the importance of the principle of keeping off the occasions or opportunities of evil. The experience of all Parish-Priests, as to the evils of crowded cottages or houses, attests the same. There is no question that the College-walls *are* a protection, not to those who *will* not be protected, but to those who, though weak, are *willing* to be protected, and not to seek temptation. Many a young man

has been saved from falling, by being out of its way. Many *Rev. Dr.* who would fall, if tempted, will not *seek* temptation. Joseph *Pusey.* would not be instanced as so great an example of virtue, if the outward circumstances of temptation counted as nothing.

157. It has pleased God that I should know very ex- Dangers of lodging-houses. tensively what have been temptations to young men, both here and at Cambridge. Lodging-houses are the worst forms of temptation. Elsewhere, men themselves (if they fall) seek for temptation; in lodging-houses temptation besets *them*. It is known that persons who have escaped every other sin have fallen through evils of lodging-houses. The facility of easy and familiar intercourse at any hour, day by day; the necessity of being *solus cum solâ*, when meals are brought and removed; the habit of those who keep the lodgings to allow the door to be opened by the servant-maid, when they are gone to rest, and too frequently the thoughtlessness or lightness of that class of servants, who are, I believe, often engaged not as regular servants but for the term only, and whose wages are eked out by the lodger, are perils from which the young should be shielded. Mr. Hayward Cox says, "I speak very decidedly on this point, *from intimate knowledge* of the mischief which constantly arises from the practice in its present limited form. In the case of freshmen, it would be absolutely ruinous. *I know* it to have been so in cases where young men, recently from school, have been placed in lodgings during the day, though they slept within the precincts of the college of which they were members."

158. Mr. Scott speaks in equally decisive terms, and wishes even the present permission to be withdrawn. "I^s have strong reason to believe that it directly causes grievous actual sin, and tends to foster immoral habits, and I feel convinced that no applicable amount of superintendence can make it harmless."

159. I know, as a certain and unquestionable fact (would Temptations at Cambridge greater than at Oxford. that it were questionable), that the system at Cambridge of allowing young men, at their first entrance at the University, to reside in lodgings, does expose them to temptations from which our own undergraduates have been comparatively exempted. I am not speaking of facilities for persons who *seek*

Rev. Dr. Pusey. temptations: but of temptations finding *them*. It has been a protection to young men, not to know how to sin, or where to find sin. The modified extent to which the system has been adopted here, when the minds of the young men are mostly taken up with the approaching examination, has made the evil much less than at Cambridge. For as, proverbially, "idleness is the mother of all vices," so laborious employment is, in God's hands, a safeguard against sin. The old Statutes of Oriel College, which direct that all the domestic offices within the precincts of the house and elsewhere "*quatenus fieri poterit, fiant per mares*"^t, contain the experience of past centuries. As far as this is not the case now, those employed are married women, which is a protection on both sides. And these too leave the college early in the day.

Testimony of
Statutes.

160. It is mentioned in the Report^u, as an advantage of making the University a preparatory school for law, that young men might commence their professional studies, "within its quiet and regulated precincts," away "from the many distractions of the metropolis." *This* plan would place them amid worse temptations, not of their own seeking, than they would have in the Inns of Court. It is not in crowded capitals only that sin besets the unstable. The appalling forms of sin, special to a great capital, are shocking even to the young who fall. Sin is to be found every where. The special danger to those not yet abandoned, is its proximity.

Benefits of
the college-
services.

161. To those who have taken up with some superficial notions as to the daily college services, who entitle them "a roll-call" and so dismiss the subject, it will even seem strange to put forth this, as a part of the college system which it would be very injurious to tamper with. The benefits of those services will, of course, be often wasted. Every gift of God is wasted. But there are very few, probably, upon whom they are wholly wasted, few who, if at the time they comparatively wasted them, have not had reason afterwards to thank God for them; many, to whom they have been very much blessed. It should be remembered, that all who have been

^t The ground alleged is, "*ne, in dicto collegio, vel societate prædicta pestis pullulet, quæ per carnis illecebras totiens vexat incautos.*"—*Genuine Statutes*.

^u P. 78.

educated with any care of religion at home, have always had family prayers. The college services are the prayers of the whole family. The proportion of those who wish to pray has increased, and is, by God's mercy, I believe, increasing. Religious foreigners have been much impressed with the fact of our English services; on the other hand, one who has been accustomed to them and then resides at a foreign University, (where, from Sunday to Sunday, there is nothing to remind the ordinary student of the very Being of a God,) knows what a dreary contrast they exhibit. This characteristic of our Universities would be so far forfeited upon the plan proposed. The students would be left, without advice, to worship God or no, as they pleased. It would be the first step in introducing an irreligious character into our Universities.

Rev. Dr. Pusey.

The family prayers of the college.

Contrast of German Universities.

162. This Recommendation then of the Commissioners is perilous every way. It is injurious intellectually, dangerous morally, a loss religiously. It would tend to introduce all the evils of the purely Professorial system, upon which I have dwelt; it would, as far as it went, introduce a class of persons deprived of the moral and religious training, protection, intercourse with the Tutor, and opportunities of daily devotion, which have made the college-life a blessing to as many as have allowed it to be so to them. Mr. Temple says truly, "The^x difference between rendering evil easy or hard of access is immense. It is a duty to protect the weak by putting barriers in the way. This plan would be to throw all barriers down."

Weakening of college system a deep evil to England.

163. I do not mean, that the introduction of that class would necessarily be injurious to others, although if they should have any influence, harm, not good, must be expected from students left to themselves, exposed to greater temptations than others, and removed from all religious and moral influences. But I mean, that in whatever degree such a class should be admitted, the University would forfeit her own character as the educator of youth, and would lower her standard. If it is right that she should undertake the moral and religious training of the youth committed to her care, it is very wrong that she should admit a class whom she could not pretend so to train. The office of the University is not that of Inns of Court, or of lecturers at an Hospital, to provide the knowledge

University dares not admit whom she cannot train for God.

^x Evid. p. 126.

^y Rep. p. 51.

Rev. Dr. Pusey. which a person wants for his profession in life, but to form the minds of men. If she admits persons, whose minds she cannot pretend to form religiously, she abandons her office either in theory or practice. Either she fails to do what she claims, or she no longer claims what hitherto has been her special office. She has no right, as a Christian University, she dares not admit persons under a nominal care, and to maintain in words a trust, which she would in deed deny, or invite persons under her care, to the peril of their souls.

Mistaken
contrast of
commission-
ers.

164. The Commissioners say, that "Many speak and think as if the comparison were between perfect discipline on the one hand, and ultra-licentiousness on the other." Rather the contrast is between facility and obviousness and closeness of sin, and its removal out of sight, where it must be sought in order to be found.

165. Good cannot be forced. Almighty God himself does not force it. But the college-system is, or may be, productive of as much good as any which attempts to combine with moral and religious training, the freedom which is necessary, in order that men may learn self-government. Any weakening of the college system would, I believe, be one of the greatest evils which could befall our country.

Extension of
University.

166. Omitting this part of the Recommendation, I believe that the rest would be beneficial. "That the provisions of the Statutes by which Colleges and Halls are obliged to have all their rooms accessible through one common gate, should be annulled, and that liberty be given for the extension of the University by the foundation of Halls."

"Affiliated
Halls."

167. Of these, the plan of "affiliated Halls," recommended in the Cambridge Report, unites the greatest advantages, and might be a benefit to the colleges themselves. The greatest disadvantage of the Tutorial system, at least in smaller colleges, is that the same Tutor is required to teach upon too varied subjects. This is the only solid objection raised in the Evidence and the Report, to the Tutorial system (it is urged again and again), that, the mind of the Tutor being occupied by too many subjects, he cannot ordinarily excel in any.

Benefit to
colleges by
facilitating
division of
lectures.

168. It is common now to separate altogether Mathematical from Classical instruction. In Christ Church there are also separate readers in Divinity, Rhetoric, Logic, Greek

Philology. There was, of old, also, an understanding, that the pupils of one Tutor might attend the lectures of any other in any branch in which he was understood to excel; and thus, any one who came to the University well-instructed, did not, in preparing for the highest examination, need the aid of a private Tutor. The increase of students through an "affiliated Hall," would, in other colleges also, require an addition to the number of Tutors employed; and this increase of Tutors would facilitate the division of subjects. This, again, would be the most legitimate way of employing the Foundations. The employment of a Tutor would become more interesting and improving to able men, if their minds could be more concentrated. Their employment would then have the only benefit of the Professor's office, the undistracted study of his subject without its evils. Nor need it be feared that men would be wanting who should carry out a more enlarged plan. More Fellows might readily be induced, or might be glad, to stay, if there were definite occupation for them. *Now* few comparatively stay, because the tendency of the day has set toward the active employment of the parish priest. Such duty has, in the main, been set before our young Fellows of colleges as their best employment, and so theological study has practically been discouraged. Our younger Fellows have often become non-residents, in obedience to the advice of their elders. Out of dread of "drones," (as some senior Fellows of the last century used to be called,) people have half emptied the bee-hive. The incomes of the colleges have practically been employed in eking out poor curacies. The benefit to Oxford through the increased residence of well-selected and studious Fellows would be very great, and in accordance with the practice of the times to which our soundest Theology and our ablest works are owed.

Rev. Dr. Pusey.

To increase Tutors the most legitimate employment of Foundations.

Causes of non-residence of Fellows.

Benefit of their residence, if studious.

169. These "Affiliated Halls" *need* not be mere extensions of the College. Without making them directly or exclusively Halls for "poor scholars," the authorities of the College might still, if they so pleased, subject any of them to regulations which should favour economy. The only burdensome expenses of Oxford (as has been again and again said) are those with which the young men burden themselves. No education in England, not that of the public schools, would be so cheap

These Halls may be used to promote economy.

Rev. Dr. Pusey. as that of the Universities might be, if the young men willed. A sum between £60 and £70 per annum has proved sufficient.

College education may be very cheap.

But many young men would be thankful for the protection of a system in which they might have the benefit of society without such expenses, or the temptation to them, or doubt about them.

Common meals with the Head of the Hall, acceptable to young men.

170. One such plan would be, if the meals were taken together, the Head of the Hall being present. This sort of society might be made unconstrained and beneficial to the young men. The more thoughtful of them would value the intercourse with one of matured mind. To look up to those older than oneself is implanted in human nature. We have the experience of this sort of intercourse on a large scale at the time of life just preceding the commencement of the College life, when a few young men reside with their private Tutor. The Head of the Hall might be really the Tutor, or one of the staff of College Tutors, co-operating with the rest of the College. It would be easy, in any new plan of this sort, to make extravagance a ground of removal, not as an enactment against the young men, but for their protection. With this plan there might or might not be united that of allowing to each student a single room only, or, anyhow, rooms which admitted of but simple furniture, and were not fitted for entertainments. This would involve no great sacrifice; since those very entertainments are mostly a weariness to the young men, and intended only to keep up an extensive acquaintance, or upheld by custom.

Further plan of economy practicable.

Objections raised to the plan.

171. It has been urged against this plan, 1. That it would not act beneficially upon the young men, if they were made a class by themselves; 2. That it might give occasion to party spirit, if any one of any marked religious belief were to be put in charge of any such Hall.

Members of these Halls need not be a class by themselves.

172. As to the first, 1. There is no need to make young men a class by themselves, or to give them any distinguishing dress. 2. The disadvantage of the class of Servitors, and in some measure, I suppose, of Bible-clerks, has resulted partly from the smallness of the class, partly from old associations.

Evil of Servitorship not inherent.

People now speak of the distinction as "illiberal," as though it were "illiberal" to have attendants, though they were educated in requital for their services; or, as if it were more "liberal"

to have uneducated servants, than to retain their services while giving them a liberal education. But the transition-state, when they had ceased to be servants, and yet (in order to restrain them from habits of expense, or to retain the places for the class for whom they were intended) some slight service was required of them, was disadvantageous; and these disadvantages were too often aggravated by their own habits.

Rev. Dr. Pusey.

173. Yet it is not the object of this plan to raise ordinary persons out of a rank in which they would be better employed. The object is, I suppose, twofold: 1. To give to parents who themselves are educated, but have slender means, opportunity to educate their sons at the University. This will probably more and more be the case with the clergy; but it must also be that of many officers of the army or navy, barristers, and others. 2. To enable the University to extend its benefits to talented and well-conditioned young men, however born, provided that they shall be prepared to benefit by its education. The weakness of the Church in these later years has been, that it has not known how to employ the talents of the middle ranks. What was not employed by her, has been, often, in ignorance, employed against her. The strength of the Dissenters in our provincial towns has often lain in this, that they gave an inferior education to this very class, employing their zeal in the Dissenting ministry, and so binding their relations to themselves.

“Poor Students” chiefly sons of poor, educated parents.

Or well-educated Students.

Neglect of middle ranks, weakness of the Church.

174. I was much struck, many years ago, in looking over the *Biographia Britannica* for the history of our Divines, to observe how many of them were sons of tradesmen. In older times the monks of Durham used systematically to send talented boys to be educated at the University.

Not so, formerly.

175. The objection presupposes that this class of persons would be unrefined. But education refines. The very heathen knew this, as we learnt in our Grammar, “*Ingenuas didicisse fideliter artes,*” &c.; not indeed a little Greek and Latin only, but “*didicisse fideliter.*” A good and religious education, after a few years, will leave no traces of the distinction of birth. We see this continually among our present Students. There have been many from a somewhat lower rank, of whom no one could suspect in what rank they were born. No one inquires or thinks of it, if the manners be but “gentle.”

“Poor Students” not therefore unrefined.

Rev. Dr. Pusey. 'Those who are unrefined are so, in consequence of their moral habits, or unrefined education. Peasants have sometimes refined manners.

Grammar-schools will supply poor educated Students.

176. But the term which has been frequently used, "poor Scholars," has given a wrong impression. A person, in order to be fitted to come up to the University at all, ought to have had a "liberal" education. At our Grammar-schools there are many already, who, if well trained, might render good service to our church and country, but whose parents are too "poor" to maintain them at the present average of expense. If all the Grammar-schools were restored and made efficient, (as some are,) there would be many more whom it would be a gain to educate thoroughly. To educate those, who, when educated, would serve God well in Church and State, is an act of love, whose value is more and more appreciated. It yields a quick return in this life also. Persons are now precluded from it by the largeness of the amount. If this were reduced, parents could make greater efforts, and the deficiency could be more readily supplied. Those who cannot now maintain even one son at the University, (as the widows of most professional persons, or fathers of large families with incomes of £200 or £300,) would gladly spare some adequate proportion, if the education were but £60 or £70. The very number of candidates for every Bible-clerkship which is open for competition, shews what importance is attached to every partial reduction of expense. The Matriculation Examination, if adopted either generally or for these Halls, would ensure, that persons should not come with inadequate education. Those who have been well educated, will, by discipline, rather raise the standard which now exists.

These will not lower the standard.

Party-spirit not promoted.

177. i. The other objection, fear of encouraging party-spirit, I the rather notice, because it appears often in the Report, as the motive of different recommendations. I do not believe that any inconvenience has been found already, although one Hall has, during the memory of most of us, been principally frequented by students, whose parents had taught them what were not the common tenets of the University. It was, probably, a satisfaction to parents to be able to place their sons where they would be educated in their own special school. However trained, they were probably less exclusive, and un-

No evil has resulted from young men of the same religious school having been brought together.

derstood others better, and judged more charitably of them, in consequence of their intercourse with the rest of the University. Surely, an University ought to be capable to contain and to mould whatever the Church contains. It seems strange, when persons represent the exclusion of Dissenters as illiberal, that they should themselves deprecate enlarged measures for the extension of the benefits of the University, on the ground that amidst many institutions, some zealous man, whose belief is obnoxious to these parties, should find scope for his energy.

Rev. Dr. Pusey.

University ought to be coextensive with the Church.

178. But any abuse might easily be obviated by care in guarding nominations. Those Halls which would be immediately connected with the Colleges, would naturally follow the rule of the Colleges. The Master of Arts, who should be responsible for the young men, (whatever title might be given to him,) whether an actual, or a former and married, Fellow, would naturally be appointed by the Head of the College. The plan would be but a strengthening of the College system, and the appointments would follow the course of the College-appointments.

Abuses easily guarded against.

179. I can say, however, with most entire conviction, that whatever party-spirit may exist among young men, would be softened, not aggravated by intercourse with their elders. The whole atmosphere of England is infected with controversy. Those young men who are more or less hurt by it, bring it with them; they do not learn it here. They are, I trust, but few. But their elders, of whatever class, would and do discourage them from wasting their minds unprofitably upon subjects which they have not knowledge enough to discuss, and which they would too probably discuss irreverently and undutifully, instead of strengthening and disciplining their understandings by the solid studies of the place.

Party-spirit softened by intercourse with elders.

180. There can be, I think, no doubt that plans of this sort, which, by being more economical, might be open to poorer, but well educated and industrious students, would act healthfully on the rest of the University. A plan, in which poverty should be the *exclusive* recommendation, would, of course, have no influence. But a Hall which should be intended to give scope to industry and exertion, *although* poor, would soon rank high in the University. Hard-working men, who (instead of wasting comparatively, as many do, their first year)

Such Halls would act well on the University.

If carefully filled, would stand high

Rev. Dr. Pusey. should concentrate their time and energies on the studies of the place, would command the respect of their contemporaries, and, as they took their place in the Class-list, their examples would act upon others. It is a generous, although not the highest, feeling, which makes the young, even when they do not much exert themselves, take a pleasure in the distinctions gained by the body to which they belong. If the young men who come to these Halls possess the average degree of education and talents, (and such Halls would naturally be a resource for talent which the *res angusta domi* excluded elsewhere,) the industry and energy fostered by this plan would soon give them a respectable or high academic rank among the other bodies in this place. And since steady industry is, by God's blessing, a great means of preserving purity, and keeping the mind from thoughts of sin, I can hardly imagine any outward plan more calculated to act healthfully upon the University at large, than the presence of bodies of young men, giving themselves steadily to their appointed duties.

"Independent Halls" have not the same advantages.

Yet desirable, that the University should make the trial.

Induction that such plans would be valued.

They would be aided by Fellows of Colleges.

181. ii. The plan of increasing the independent Halls, after the manner of Hatfield Hall in the University of Durham, has not the same advantages as Halls in connection with the Colleges. For if such Halls are to have an adequate body of Tutors, they will, in fact, be Colleges without a foundation, or without any provision (such as the fellowships afford) for a succession of Tutors. Still the University has advantages for such a plan, which separate Colleges very probably may not have, in that it has large sums placed from time to time at its disposal, which could not be better employed than in extending its own efficiency. It would be a readier way of bringing the plan into being. The erection of new Colleges elsewhere, (as King's College, &c.,) the pressure for admission in the Colleges which have the best tuition, the way in which a second Hall at Durham was immediately filled, and the number of candidates for any help towards University education, which is at any time open to them, show that such a plan would be valued here, where all other advantages are so much greater than they can be in any new institution. There have not, for these many years, been wanting men among our Fellows, who would cooperate in any work which should have a promise of real benefit. These, whom a mere increase of

income would not induce to engage in ordinary tuition of, perhaps, unwilling pupils, would often gladly give their energies to educate hopeful men, who would profit by their pains, and might be "the salt of the world." Although, then, I believe that plans more intimately connected with Colleges would be preferable, I do think that it would be very desirable, that the University should build such a Hall, or assist others in building it. The liberal offers held out, seven years ago, by persons of distinguished name and position², are a good earnest that such plans would draw to themselves the liberality of churchmen; and, if they should have any distinguished success, they would doubtless be endowed.

Rev. Dr. Pusey.

And, if successful, probably endowed.

182. There is much need of every exertion to extend the old Universities. They have means for sound education and a traditional feeling which no new institution can possess; means (as our fellowships) which are now often comparatively wasted, because no adequate employment is found for them within the University. But now, instead of extending our usefulness, we have gradually been losing the preliminary education, not only, in some degree, of other learned Professions, (as the Bar and the higher parts of the Medical Profession,) but even of the very Clergy. The population of England increases day and night; increase of the Clergy is not only needed, but demanded. The whole tendency of legislation is to multiply poorer endowments by the subdivision or re-distribution of the wealthier. If the Church is ever to win back the great masses of our towns from Heathenism, her Clergy must be increased by thousands. No other place has the same power or resources for education, if they were called into activity. What is done elsewhere is only enough to shew the prevailing sense of the need. The need cannot be so supplied.

Universities can extend education better than any other system.

But are losing the education of the very Clergy.

183. iii. The remaining plan of allowing Masters of Arts, with licence from some authority, to open Halls, would, unless those Halls were connected with Colleges, only introduce into the University the system of private tutors, apart from the Collegiate system. It would be more expensive to the members of such Halls than any other plan; for the smaller the numbers, the more expensive the education. And unless the

Licensed Halls under a M. A.

Most expensive plan.

* In the Paper presented to the Hebdomadal Board, by Lord Sandon, now the Earl of Harrowby, and others, Appendix E. to Report, p. 55.

Rev. Dr. Pusey. Masters who had charge of them were connected with some College, so that the members of the Hall should be admitted to the College-instruction, they would, I fear, be on a lower level. The disadvantage of the existing Halls is, that the Vice-Principal or Tutor is obliged to teach almost every thing which is taught. Those new Halls must be yet smaller than the present, because they would necessarily be limited by the size of houses in Oxford. There would be no reason why the several Colleges should not be allowed, instead of having one subsidiary Hall only, to employ (if it seemed good to the authorities) several of the Fellows in smaller and distinct Halls, still connected with the College. But I believe that houses in Oxford are, for the most part, very little adapted to be so subdivided among students; and houserent in all eligible parts of Oxford is so high, that such a plan would never be extensively adopted.

Disadvantageous unless connected with Colleges. A College might have several subsidiary Halls.

This plan probably very limited if allowed.

Lodgings in Tutor's or Professor's house

failed in Germany,

much more here.

184. iv. There is yet a subdivision of the first plan of the Commissioners to be noticed; viz., that of allowing young men to become members of the University, residing under the care of a private tutor, or in a Professor's house, but receiving no Collegiate instruction, nor being in any way connected with any College or Hall. Both these plans were tried very extensively and systematically throughout the German Universities; and both were abandoned even there, because they failed^a. But the plan of lodging with private tutors would have even greater disadvantages when in juxtaposition with the College-system. In Germany, had the plan succeeded, *all* would have been subjected to the same control. It failed, because the control of a private tutor is in contradiction with the freedom of an University. Much more certainly would it fail, where that control would stand side by side with the freedom of others. ^b "The case of boys at a public school, residing with private tutors, is" not "analogous." The boy at the public school (whoever be his tutor) is subject to the whole discipline of the school. The young man at the University is supposed to be exempt from the discipline of the College, and subject to the laws of the University and the discipline of an individual. The Commissioners contemplate that *this* class would live "not under

^a See above, p. 57, &c.

^b Report, p. 45.

less," but "under^c more effective superintendence than that which is provided under the present system." If it were more effective, it would be much more galling, and would expose the young man to the charge of being "in leading-strings." The discipline of the College is both stricter in fact, and yet less felt than would be the discipline of a Private Tutor at the University. It is less felt, because it is part of a system, not the act or will of the individual. The College-laws of discipline are a traditionary system, to which the young man knows that he has to conform. It is part of the condition of his admittance and his stay. He knows them, and that all around or before him have had to submit to them or to the punishment for breaking them. Bodies obey more readily than individuals; and it is easier to obey a system than an individual. The discipline to be exercised by the Private Tutor, if any, would be uncertain, indefinite, irregular, individual. The Censor or Tutor of a College can the more readily use it, when it is needed, because, for the good of the whole, he must. The young man feels that real relaxation would destroy the whole discipline of the College: for what is allowed to one, must be allowed to all. He does not claim, then, to be exempted from the general law, unless his own case should itself be an exception: for he could not expect favoritism to be shewn to him, or the system to be changed for him. He submits, then, as a matter of course, to the established law. In the case of the Private Tutor, there would be nothing to appeal to. All would be matter of personal influence. Yet the Commissioners speak, not of influence, but of "superintendence." Their plan supersedes a discipline unfelt, unless rebelled against, by a superintendence which would be galling unless nugatory, and which probably would be both. The appearance of unusual restraint and real powerlessness is the worst combination which could be devised: it provokes resistance which it cannot restrain.

185. Under the present system, too, the tutor by whom a young man has been educated at home, has, from time to time, accompanied him to the University. No objection has been raised to it, when desired. But then this has been something additional to the College system and College instruction. It

*Rev. Dr.
Pusey.*

College discipline stricter
but less felt.

Good of the
plan may be
had now.

Rev. Dr. Pusey. has not superseded it. The tutor, like other private tutors, has been the instructor, adviser, friend. He has not had to exercise discipline, because this was already provided for by the College-system. This proposal of the Commissioners would be simply a loss, without any gain whatsoever.

If lectures
only object,
London were
better.

186. They say, ^d“It is in this manner that in foreign Universities Students of the highest rank are usually educated.” The system, as far as it exists in Germany, presupposes, in its highest degree, that very distinction of ranks which the Commissioners deprecate in Oxford. It is well known that the gradual melting of ranks into one another, which prevails in England, is not known in Germany. The highest ranks are rarely educated at Universities, because the education at the Universities is merely professional, and the ways of the students so often unrefined. If one of high rank is sent to the University to hear certain lectures, it is, in a way, aloof from it. He hears lectures there, just as any English nobleman may hear lectures at the Royal Institution in London. He has his allotted chair at lectures, instead of the benches of the students, and is treated with deference. He is removed from those of an inferior class; but there is not the anomaly of distinguishing him from others of his own or about his own rank. If this were all for which a young nobleman came to Oxford, it would be far better that he should have real domestic life in his father's house in town, and attend lectures at the Royal Institution, and study statesmanship by hearing good debates in Parliament.

No objection,
that some
Colleges or
Halls are not
full.

187. It is, obviously, no real objection to any plan for giving scope to more energetic Colleges, or for extending in other ways the benefits of the University, that certain Colleges or Halls are not actually full. This must be owing to incidental causes, not to the absence of the wish for education. Many parents, it is known, if they cannot send their sons to the Colleges which they prefer, do not send them at all. Halls, like the present, unconnected with Colleges, are under a disadvantage, because the office of education falls mostly upon one single teacher. Magdalene Hall is probably the fullest, because, besides the Divinity lectures given by the Principal, there is not only a talented Vice-

Present Halls
under disad-
vantage.

^d Report, p. 46.

Principal, but an assistant Tutor. It would probably be for the mutual benefit, both of the Halls and Colleges, if the Halls could in some way ally themselves, as of old, with the neighbouring Colleges. They might thus mutually strengthen one another: and the Halls might compensate their own want of endowments by aid of Colleges, which have more fellowships than they employ. But the University can never be called upon to check the improvements which, in the fulfilment of her trust, are asked of her, because individual Colleges or Halls may happen, at any given time, not to be full. Since the more efficient Colleges have resources yet undeveloped, resources which they have received for the benefit of the church and realm, it is morally right and a duty that those resources should be employed, whatever temporary effect this may seem likely to have upon other bodies. The full discharge of duty was the very condition upon which the Colleges received their existence; and from this they cannot be acquitted (if it but be in their power) because others, as they now exist, cannot in some way, or do not, perform what once they did. By "resources" I mean, the moral resources for education and the promotion of sound learning, which a large body of fellows supplies, if they be but rightly selected.

Rev. Dr. Pusey.

Colleges have a duty to fulfil, irrespective of the condition of other Colleges.

Superintendence of the studies of the University by the Professors.

Recomm. 3. Superintendence of studies by Professors.

188. The third recommendation proposes "that the Professors should be formed into a standing delegacy, wholly official and not liable to alteration, for the supervision of studies, the appointment of Examiners, and the management of the Public Libraries." The thirteenth; "that the Professors should be distributed into four Boards for the regulation of studies."

189. These two recommendations seem inconsistent. For a Delegacy, of necessity, acts as a whole. It is a body to whom a certain matter or matters are delegated, or devolved, by those who have authority therein. The Report, on the other hand, enters, at length, into the distribution of the present and contemplated Professors into their several Boards. And the title "Board," in its uniform, received usage, designates an assembly or council, invested with authority of some sort. There

Apparent inconsistency between the recommendations.

Rev. Dr. Pusey. are separate objections against either plan, whether of one large delegacy, or of separate Boards.

Objections
against both.
One delegacy
heteroge-
neous.

Professors,
less judges of
each other's
subjects than
average of
educated
men.

For they
must devote
themselves to
their own.

Professors of
the four pro-
posed Boards
not drawn to
each other's
studies.

190. If it be intended to recommend that the whole body of Professors should have the supervision of studies, the body would be utterly heterogeneous, united only by the mere name of Professors or Teachers^e. And not only would the component parts be heterogeneous, but many of the Professors would be less qualified to enter into each other's subjects, or to judge upon them, than very many well educated men, or than the average of the body of residents. In many studies, if the Professor is to attain to eminence, he must pursue his subject almost exclusively; certainly, he cannot pursue such as have no bearing upon it. The foundation of all education should be broad and solid. When the powers of the mind have been thus disciplined and enlarged, they must be concentrated, if any great progress is to be made in any branch of human knowledge. Mostly, one who attempts to cultivate many, succeeds in none. Those who have succeeded, as Aristotle, have been persons specially endowed by God, alone in their generation, or perhaps for centuries.

191. But, to take the average of Professors, such as those of our time will be in our University, the Divinity Professors will, in proportion as they devote themselves to their own study, be no judges of physical science; still less will the physical Professors be guides to theological study. Law has no special connection with philology; nor mental philosophy with mathematical science. If any person gives himself to the one, he cannot ordinarily cultivate the other. The four boards pro-

^e i. Theology, including the Regius and Margaret Professors; the Professors of Ecclesiastical History, Scriptural Interpretation, Pastoral Theology, and Hebrew, six. ii. Mental Philosophy; including the Professors of Ethics, Metaphysics, Logic, Poetry, Art, five. iii. Philology, Greek, Latin, Sanscrit, Arabic, Anglosaxon, European and another contemplated by the University, seven. iv. Law and History; Common and Civil and International Law; Ancient, Modern, English History; Political Economy, seven. v. Mathematical science, Geometry, Astronomy, Natural Philosophy (i. e. mixed Mathematics) three; vi. Physical Science; Medicine and Anatomy; Medicine and Pathology; Physiology; Lee's readership in Anatomy; Experimental Philosophy; Chemistry; Botany; Geology; Mineralogy, nine. And, (not classified) Music, one. In all, thirty-eight.

posed are, 1. Theology; 2. Mental Philosophy and Philology, *Rev. Dr. Pusey.* subdivided into two schools; 3. Jurisprudence and History, (which, although allied, do not involve the knowledge of the specialties of each other); 4. Mathematical and Physical science, which, although they meet in the one department of "applied mathematics," are, for the most part, wholly distinct. The Mathematician is not led towards Physiology. Professors of Medicine, Chemistry, Botany, Geology, Mineralogy, have ordinarily no time to give to Mathematics or Astronomy.

192. There is no more reason why any of these classes should regulate the studies under the other departments, than any other persons concerned in education. I should think, much less. From this very devotedness to their own studies, which is essential to eminence, they would be obliged to refrain from each other's studies, even more than the average of educated men.

No reason why they should regulate each other's studies.

193. If, on the other hand, the Boards were substantive bodies, they would be far too small to decide severally the whole studies of their department. The board of Theology would consist of six Professors; that of Jurisprudence and History (if recommendations still suspended were carried out) of seven; the school of Philology would have seven; that of Mental Philosophy five; that of Mathematical Science three; in that of Physical Science it is proposed that there shall be nine. Even of these, the school of Philology would be composed for the most part of materials altogether heterogeneous and with opposite interests; the Professorships of Greek and Latin, as representatives of the whole Classical education of the University; Sanscrit and Arabic, which (it is contemplated) will be studied only by some fourteen individuals in the year; Anglo-saxon and "the European languages," which it is not even contemplated to admit into the public examinations. (The Professor of Music would be a member of the Delegacy, not of the Boards.)

Proposed Boards far too small to regulate studies.

194. But, far beyond these detailed objections to either plan, the most radical is, that the whole management of the studies of the University would be taken out of the hands in

Most of the Professors, thus to be entrusted with the control of education, never concerned in education,

† The Professor of Sanscrit states the number who have studied in the whole year to have been ten; the Lord Almoner's Reader in Arabic state his highest number to have been four; his lowest, one.

Rev. Dr. Pusey. which it has been, and placed wholly in those of others, most of whom will not be employed in *education* at all. The office of Professors, as laid down, is to give the highest information in their several departments. The business of the larger proportion would be not with the human mind, but with abstract study. In many cases, the Professor, if he is to succeed in his study, must, from an early age, have wholly separated himself from the business of education. Medical science and Law must be learnt and practised amid exclusive study in London; the Professors of Sanscrit will probably be supplied by India; eminence either in it or in Arabic cannot be combined with the office of education.

nor with the
human mind.

The body ac-
tively and
steadily en-
gaged in ed-
ucation, set
aside for
those who
are not.

195. Without any assigned reason, the Commissioners recommend that the whole regulation of the studies of the University shall be taken away from the body who are engaged in the real education of the young men, and the formation of their minds, (the Tutorial and Collegiate body, under the several Heads of Colleges and Halls,) and be transferred to a body or bodies of men who have no common interest, no bond of union, whose wishes and views would, very often, be contradictory, and the large majority of whom would never have had any thing to do with education.

Practical
wisdom
gained by
educating.

196. In any question of education, there can be no comparison between the practical wisdom of persons habitually employed in the training of young men and the daily formation of their minds, and that which is likely, for the most part, to be possessed by persons engaged in abstract sciences.

Plan destruc-
tive of Clas-
sical studies.

197. The change also, even if not directly aimed to make Oxford like one of the continental Universities, has the direct tendency to destroy its distinctive Classical studies. The Greek and Latin Professors in one school, the Professors of Logic, Ethics, Poetry and Art, in a second, and the Professor of Ancient History in another "Board" would in a delegacy, consisting of thirty-eight Professors, be the only representatives of our Classical studies.

Change en-
tirely gra-
tuitous.

198. Such a change would be as mischievous as it is gratuitous. It must in the end wholly destroy the present character of Oxford. No plea of abuse has been raised. There has been no surmise that the Examiners have not been well appointed under the present system, or that they have not, for

nearly fifty years, discharged their duties, as well as they could have been discharged; that any eminent man has been excluded from the office, or that the Examiners have not consisted of those most eminent in their time. Again, the cultivation of study has continually improved. A new statute has just passed, whose workings have not yet been seen. And yet, without any plea of necessity, it is proposed to throw the whole management of the studies into the hands of a body, zealous for the most part to promote their own particular sciences, amid which the present studies, which prepare solidly for all alike, would of necessity be lost, having but their seven supporters.

Rev. Dr. Pusey.

No plea of abuse.

New statute untried.

Precipitancy of change.

199. RECOMMENDATION 12. "That, during the latter part of the Academical course, all students should be left free to devote themselves to some special branch or branches of study."

Recomm. 12. Devotion of latter part of the course to special study,

200. This is already allowed by the existing statute, (as all members of the University know.) so far, that any student may pass his final examination in the Classical School in his 13th term, and then devote himself to either of the other three branches of study, and obtain honours as late as the 18th. This allows more than a year, in which he may, even with a view to honourable distinction, devote himself to some special branch of study. But before this plan has been even tried, the Report pronounces it inadequate; and expressly condemns the continuance of the Classical studies, as compulsory, beyond the close of the second Examination, i. e. the end, it may be, of the second year; and it proposes to give the supervision of studies to the only persons in the University who are (in most cases almost *ex officio*) jealous of the predominance of Classical studies. The Commissioners propose also that all religious study should cease at the same time, (i. e. with regard to the average of young men, about twenty,) unless any should wish to devote himself specially to Theology.

allowed after the 13th term.

New statute pronounced inadequate before it is tried.

Complete irresponsible power put into the hands of the Professors.

201. I believe that both recommendations would be injurious. The authorities quoted in the Report recommend this only, that there should be at the University, studies on the *theory* of the sciences, preparatory to the *practical* study of the professions in London. Doubtless, as to law especially, it would be of great service that persons, before they enter on the practical study of our law, should study the principles and

Rev. Dr. Pusey. maxims of Roman law. But those authorities do not recommend that the broader preparatory studies should be sacrificed or mutilated, or thrown back to an age when the minds of the majority of our students are not matured enough to gain the whole benefit which may be derived from them.

Abridgment of University course, not recommended by the very authorities quoted, as to law

202. With regard to law, the proposal, as mentioned in the Evidence itself, relates to the formation of "a school of Law and Jurisprudence in London," accordingly, for all law-students who shall be graduates in either University, *after* the University course shall have been completed. Mr. Bethell proposed to extend and apply our system in London, "supplying, at the Inns of Court, not *professorial instruction*, which he admitted would be insufficient, but *tutorial* teaching, such as existed at the Universities in other departments of learning, which he thought absolutely necessary." He does not suggest that *we* should abridge our preparatory study; but he proposes to *add* to our's a preparatory study in London, on the pattern of ours. Mr. Denison, who wishes to transfer his plan to the University, still does not suggest any thing as to the time or place which it should occupy.

or medicine.

203. Again, Sir B. Brodie thinks it desirable that the Universities should "afford the means of studying Chemistry, Botany, the elements of Mechanical Philosophy, and Physiology." But he expressly shews that he contemplates the abridgment, not of the University course, but of the period of study required in London. He says, "Nor need the University education, in the case of medical students, be attended with any great additional expense;" plainly, in consequence of the prolonged residence. Why? He gives it only as his private opinion; but still his opinion is, "I have no doubt that for those who *have had their minds well trained*, and have gone through such a course of study as I have suggested in a University, these periods" ["of study in the medical schools required by the College of Surgeons"] might very safely be considerably abridged." Sir B. Brodie insists on the good training of the mind, as well as on the study. The actual abridgment of the period of study by the Colleges of Physicians and Surgeons to those who have taken the degree of B. A. in an English

Testimony of actual rule of Colleges of Physicians and Surgeons.

g In the Law Amendment Society, June 18, 1851, quoted by S. C. Denison, Esq., Evid. p. 199.

h Report, p. 81, 2.

University, shows what importance they have attached to our long preparatory education. *Rev. Dr. Pusey.*

204. Doubtless many of us, if we had had our choice, as young men, would have laid aside studies whose bearings on our future duties we did not see, and we should have entered upon those to which we hoped to give our lives. On looking back, I suppose that any one who made diligent use of his academical life, will think that that period, and especially its third year, was the most valuable discipline of his mind during his whole life. In my own younger years, we used to hear high authorities quoted from all learned professions, from eminent lawyers and physicians as well as divines, that it was best not to anticipate the future Professional study; but that *he* would come best prepared for such study, who had laid the best and most solid foundation in the preparatory studies of the University.

Advantage of long preliminary study felt probably by all who used the time rightly.

The third year the most valuable mental discipline in life. High authorities currently quoted thirty years ago.

205. These benefits of our long preliminary education would be increased manifoldly, if (as it ought to be) the average education of the schools shall be so raised, as to enable the University also to raise her average standard. For its highest intellectual benefits are lost to those of average ability, if they come unprepared. The low standard of the minimum of our Examinations is disgraceful, not to the Universities, but to the instruction of the schools, which makes it requisite to place the standard so low. It is almost inconceivable how so many years can be passed in learning so little. The classical part of the Examination at Responsions ought to be passed by a well-educated boy of twelve years old. The average knowledge of Greek or Latin, at the close of the University course, might, if the schools were improved, readily be obtained before its commencement. But in proportion as the whole standard was raised, the higher benefits of the University study which are now enjoyed by those only whose previous training has been good, or who have abilities enough to make up the former deficiency by subsequent diligence, could be more widely diffused. The average class of students might then gain the same kind of benefit from the University course (to the great relief of the Tutors) as those who are, in their day, the higher class of students, do now. And they are precisely those benefits from the higher parts of study, such as the moral sciences,

These benefits enlarge with improvements in Universities.

Rev. Dr. Pusey. which cannot ordinarily be anticipated, because the mind of the student is not matured to receive them.

Deepest benefits cannot be anticipated.

206. The knowledge of the ancient languages, as languages, can be gained at any age; the full benefits of the deeper philosophers or historians cannot be gained, until the mind be strengthened fully to grasp them. To carry weights strengthens both body and mind; but those bodies and minds only, which are strong enough to bear them. The study of the third year is of such special value, because the mind itself is then more developed, and therefore can better grasp, it is more disciplined, and so can enter more thoroughly into, those same studies which before it more imperfectly apprehended.

Value of long preparatory study to the clergy.

Bp. Kaye.

207. These principles, as relates to the clergy, have been stated clearly by one whose name will carry with it weight, a Divine, himself possessed of learning, deprecating precocious professional study,—the late Bp. Kaye. As the passage occurs in an early charge (1831), and so is not probably much remembered, I may cite it at length: “I should deeply regret any change that gave to the studies of our Universities more of a strictly professional character. My view—which was also the view of those wise and learned men who prescribed the course of academical studies—my view of those studies is, that they are designed to discipline the mind of the student; to form in him habits of patient and persevering attention, and of accurate reasoning; to communicate to him those general principles, without the knowledge of which it is scarcely possible successfully to engage in any literary pursuit; to lay, in a word, the foundation on which the structure of professional learning is afterwards to be raised. A strictly professional education, commenced at too early a period, has, for the most part, a tendency to cramp the mind, to narrow its views, to subject it to the trammels of system, to dispose it to acquiesce without examination in the conclusions laid before it, perhaps even to unfit it for the task of examination. The advantages derived from it are rather of a mechanical character: it places a set of tools in the student’s hands, and renders him expert in the use of them; but their application is confined within narrow limits. Observe, on the contrary, the quickness and energy with which one whose education has been conducted on a more liberal plan applies himself to professional studies; he displays

Early professional education cramps the mind.

at once an aptitude to any pursuit, however foreign to his former occupations; nothing comes amiss to him; he soon places himself on a level, in extent of professional learning, with those whose life has been directed to that single object: while, in the application of his learning to practice, he possesses an incalculable advantage, in the power which the habit of close and accurate reasoning confers, of seizing at once the important point of every question, and in the copiousness of illustration, which his stores of general knowledge supply." Waterland says concisely, "i The preparatory studies of philosophy and classics, must not be neglected for divinity in the first four years; for they are the foundation, without which a man can hardly be a *judicious*, it is certain he cannot be a learned divine."

Rev. Dr. Pusey.

208. The plan of the Commissioners would indeed be a strange reversal of that recently adopted by the University. The University, after considering the subject above a year^k, proposed to *enlarge* the previous line of study, by *requiring* the student to adopt some additional branch. The Commissioners propose to *contract* anew the University studies in the opposite direction, by leaving it at the option of the young man to omit, after two years, the whole course of preparatory study. They would make him the judge of that, of which, by the very law of nature, he cannot be a judge,—what would be, in the time to come, the effect of this or that course of study, or mental discipline, on the powers of his mind. All education, from first to last, is matter of faith. We learn, at first, blindly; then, with some glimmering, but never seeing beforehand in ourselves, fully and distinctly, the benefits of our mental training. For we cannot see that which is to come, how our faculties will be quickened, steadied, sharpened, strengthened, by the mental discipline which we are at the present time engaged in. The statutes of old gave no choice to the student. They laid down, and wisely, what he was to study. They assumed that his elders knew by experience, better than he who could not have that experience. They wished him

Commissioners' plan contracts studies which have just been enlarged.

Benefits of a prescribed line of study.

ⁱ Advice to a Young Student, Works, vol. vi. pp. 313-11.

^k It was, as appears in the Statutes, brought four times before Convocation between March 20, 1849, and May 24, 1850; besides the time previously employed by those who framed it.

Rev. Dr. Pusey. not to buy the experience at the risk of mistakes which, in the nature of things, would be irreparable.

Present un-
professional
studies ought
not to be
made dis-
pensable.

209. To make the preparatory studies of the third year dispensable at the option of the student is, in fact, to declare them useless. For unless they were useless, they ought not to be dispensed with. A student ought not to be tempted to take the easier course.

Present reli-
gious instruc-
tion often
more used
by those who
hope to re-
ceive Holy
Orders.

210. This is, however, but an intellectual question. The other part is religious, and so startling that one should hope that some of the Commissioners had at the moment forgotten the amount of the religious studies required of the undergraduates. I say "required," because on the one hand it is not true, as they assume, that "¹No one has left Oxford under the system hitherto pursued, much more fitted for one profession than another." For there can be no question that very many whose choice to enter Holy Orders had, as far as in them lay, been already made, have availed themselves of the religious instruction of the place, and the leisure of the Sunday, or of other times free to them, very much more than others. On the other hand, the very popular character of the knowledge required makes it the more unaccountable that any religious person should have wished to get rid of it.

Opposite wish
of king of
Prussia.

211. The recommendation of the Commissioners to get rid of religious study after the second year, stands strangely in contrast with what was said to be the earnest wish of the king of Prussia, when crown Prince, that he could introduce into the Prussian Universities a popular religious instruction for all students. He, seeing the evils of the want of religious instruction after boyhood, desired, if he could, to introduce it. The Commissioners, intent upon promoting the increase of human knowledge, would, after the second year, dispense with the study of divine.

Religious
study now re-
quired for the
third exami-
nation no
burden.

212. Professor Vaughan thought it right to say, "I ^m confess that in my opinion, the *present* University scheme (liberal as it is comparatively), is still deficient in not having *emancipated the final* examinations more completely from classical and theological studies as *compulsory on all*. Nor do I think that until this be done, much will have been effected in physical, historical, and mathematical instruction."

¹ Report, p. 70.

^m Evid. p. 86.

213. And yet the study which the University requires, is little beyond what all educated Christians ought to have. For all ought evidently to know well the Gospels, and "the history of the Old and New Testament," and the outline of Christian doctrine. The University has added for the scholar, the knowledge of the Greek Originals of the Gospels, and (I suppose, because he is more exposed to sceptical doubts) "the evidences of religion natural and revealed." It would indeed be unnatural, if those who are taught Greek at all, did not desire to read the Gospels, as they were written by those who wrote "as they were moved by the Holy Ghost;" while, on the other hand, doubtless those who look to the office of teaching others, study them more themselves. Still no criticism is required of the students. All which is *required* of them, (whatever individuals may study for themselves), is plain elementary knowledge.

Rev. Dr. Pusey.

Little beyond what *all* educated Christians ought to have.

Designated rightly as rudiments of religious knowledge.

214. That part of the study, which most directly relates to doctrine, (although the study of the Gospels, apart from the study of the truths contained in them, would be, of course, unmeaning,) yet what would now be called the most Theological part of the study, the study of the Thirty-Nine Articles, is required by the statutes of A. 1800, expressly on the ground, that accordingⁿ to the Statutes, all who are committed to the care of the Tutors, are by them to be instructed in "the rudiments of religion and the Articles of doctrine published in the Synod of London A. 1562."

Examination in 39 Articles founded on the Laudian Statutes.

215. The Report indeed says, "a larger knowledge of the Bible is henceforward to be required." Rather the previous practice is embodied in words. We certainly understood thirty years ago, that the knowledge of the substance of the Old Testament, especially its history, as well as that of the New, were included in the "Rudiments of Religion" required by the Statutes. The words of the new statute, "*necnon quæstiones ad Historiam et ad argumenta Librorum tam Veteris quam Novi Testamenti,*" represent, I suppose, the knowledge which Students before knew to be expected of them. Dr. Twiss, who had been Public Examiner from 1835-1840, says, "The^o Candidates are required by the custom of the Schools

Larger knowledge not required.

ⁿ Add. Tit. ix. p. 119, quoting Corp. Stat. Tit. iii. §. 2. p. 10.

^o Evid. p. 293.

Rev. Dr. Pusey. to satisfy the examiners of their knowledge of the Old and New Testaments, as constituting the rudiments of religion, and to exhibit a competent acquaintance with the evidences of revealed religion." Certainly, in 1822, we all knew that we were liable to be asked, not only as to the history of the Old Testament generally, but as to its ritual.

Religious
study set
aside,

216. This required amount of knowledge, whereby Professor Vaughan thinks, that "a man who can take a degree is already threefourths of a Clerk in orders," the Commissioners rightly term "such knowledge of the *rudiments of religion*, as may be fairly expected from any person who has received an academical education." But they agree in their recommendations. Professor Vaughan thinks it essential to progress in "physical, historical, and mathematical instruction," that the student "should be *emancipated* from these theological studies." The Commissioners propose to emancipate him. The religious studies of the place at that period are gently laid aside under the words, they "would be transferred from the Final to the Intermediate Examination." And yet what is it from which students are to be thus "emancipated?" What is this array of study which is to interfere with solid progress in any other? The knowledge of the history of our Lord's life and teaching. The knowledge of the general contents of the Old and New Testament, and of the history of both; of the elements of the Christian Faith, and to have some answer to those who would impugn it. Of a truth, this age has Holy Scripture much in its mouth, when it does not interfere with some idol of its own; but is ever ready to offer it in sacrifice to its idol, if it does.

very simple.

Contrast of
this recom-
mendation
with that in
the existing
Statute.

217. It is strange to contrast this recommendation of the Commissioners with the earnest and nervous language^p of the framers of the Statute of A. 1807, which was retained verbatim in the statute, as altered in A. 1825, and again in A. 1830, and now again recently in that of 1850. It has been these

^p "2. Præ cæteris omnibus primum sibi locum vindicant Religionis Rudimenta. Meminerint Examinatores, et hanc sibi sanctam habeant juramenti sui interpretationem, defectum in hac re nullis aliis quibuscunque Candidatorum meritis compensari posse, ita ut qui in hac gravissima materie Examinatoribus non satisfecerit, nullum omnino Testimonium obtineat."

four times, in about forty years, the deliberate judgment of the University, that in the final examination, "the Rudiments of religion" are to occupy "the first place above all others." The Examiners are bound "by virtue of their oath to allow no other merits whatsoever of Candidates to compensate for a defect in this," and not "to give any Testimonial to one who did not satisfy them in this most weighty matter."

Rev. Dr. Pusey.

Four times renewed.

218. This requirement of the University has worked healthfully. It is a temptation, especially to young men of talent, to sacrifice every thing for the distinction of a class. It has acted very healthfully on others, when one, in other respects qualified for the highest honours, has been rejected, on the ground of his ignorance of elementary religious knowledge. I remember well the impression which such a rejection produced, when I was myself an undergraduate. Quite apart from any fear of being rejected themselves, it impressed on the undergraduates the strong judgment of their elders and of the University, that the highest knowledge is the knowledge of God. It brings out theory into act and life, and impresses upon young men what in their consciences they know to be true, but are tempted to overlook. There has been reason to know that it has been beneficial to some, who for the time suffered by it. Nor can it be truly said that a study of religion which is compulsory, is therefore useless. Young men are often tempted to neglect a duty, which, if they *must* do, they set themselves to do well. Persons may be tempted to neglect the Gospels for other knowledge, who yet, if required to know them well, study them carefully, and will benefit by the study of our Lord's words, which, if left to themselves, they would have neglected.

Benefit of present Statute.

219. The change proposed by the Commissioners would, if adopted, proclaim that it is the judgment of the University, that the study of Holy Scripture, or of doctrine, is no essential part of learning for ordinary students, after the age at which young men pass the second examination. The abolition of the statute on this subject would be as emphatic a declaration of the uselessness of these studies after that age, as the statute itself is of their primary importance.

Proposed changes a declaration of the uselessness of the study of religion to ordinary students.

220. But, in this case also, while the religious knowledge itself is of such a nature, as it would be well for any layman

Rev. Dr. Pusey. to carry on during his life, the study of the third year is the most valuable, in that the mind of the student is then most matured. The study (such as it is) need interfere with no other studies, unless *they* interfere with the healthful use of the Sunday. 'Two or three hours' study of Holy Scripture or of doctrine on the Lord's Day, would be amply sufficient for the acquisition of any religious knowledge which the present statute requires. It could interfere only with an engrossing, idolizing, pursuit of any study, which either sacrificed the holy peace of the Lord's Day to the passionate acquiring of some secular knowledge, or which so exhausted the mind with the undue labour of the six days, that on the seventh it would be fit only to vegetate. Hard students know now, that the healthiest mode of study is one, by which the six days are given to an even, steady, well-ordered pursuit of the appointed work, which yet shall leave the mind free and clear for the fuller devotions and larger religious study of the seventh. Any plan of study which interferes with this, interferes with God's law of nature as well as revelation, and will in the end injure its own object, for which it sacrifices the law of God.

Religious knowledge required interferes with acquisition of no other,

only with abuses.

Mischief of the recommendation.

221. This recommendation, then, is mischievous, in that it would teach the young men to lay aside, at a very early age, twenty or twenty-one, the search after Divine knowledge as interfering with human, and would deprive them of that study at the very time when they could most solidly enter into it. It is mischievous, upon the very ground upon which it is recommended, in that the religious knowledge required by the University would interfere, not with the healthy, but with the unhealthy study of any other branch of knowledge.

Objections to make Theological science a separate school for the first degree.

222. On the other hand, there are distinct objections (which weighed doubtless with the framers of the last Statute) against making Theology a separate subject for examination, in a school of Theological science, in the University. Besides the ground, already urged by Bp. Kaye, of the disadvantage to the student himself, from abandoning too soon the preparatory studies, there is a special objection to introducing into the examination for the degree of B.A. a school of Theology, concurrent with the other three. It would almost unavoidably introduce competition, and with competition, "cramming" for distinction, into sacred study. It would tend to make distinc-

Competition and 'cramming' would be introduced into Theology.

tion and "the praise of men," not theological knowledge, for its own sake, (or, in other words, the enlarged knowledge of God,) the object of that study. For it would not be accounted fair upon the young men themselves, if they should give themselves (as is proposed) to the study of Theology, to deprive them of the hope of the same sort of distinction, which they might gain in the other schools. But this competition for distinction in religious knowledge has already been rejected by the common feeling of the University. The idea of introducing such distinctions was thrown out, when the scheme of the voluntary Theological examination, which was accepted in 1842, was under examination. It was at once set aside, through the common feeling of the Resident Body. It could only encourage a dry, hard, intellectual head-knowledge, which would be irreverent, and hurtful to religious belief. Yet this and other secular objects are set forth in the Report as *the* stimulants to Theological study, "the foundation of a great Theological school." "If^q the Examination, thus instituted, were made available for the Degree of B.A., if it opened an avenue to University distinctions, if it were likely to prove a recommendation for College Fellowships, no doubt an instant demand would arise for Theological Lectures. This demand would call the Professors into more active Academical life."

Competition in religious knowledge already set aside by the University.

223. "Active Academical life" has not been (as I have shewn already^r) the basis of our solid English Theology. The Professor would then but have, with less advantage for its execution, what is now the employment of the Tutor. A young man of twenty-one could, and ought to, learn only the elements of Theology. The Professor, if he teaches them solidly, would have to make his Theological teaching more elementary than it is already. "A great Theological school" can only be formed by solid study, deep thought, pious learning, calm meditation, holy life, devoted desire to serve God, from Whom it must obtain its wisdom, not by professorial lectures.

No gain to Theology.

224. The Examinations for the Hebrew Scholarships are of a different character. They are not Theological, but relate simply to the knowledge of the language.

Hebrew Scholarships different.

^q Report, p. 73.

^r See No. 21-4. 37 sqq.

Rev. Dr.
Pusey.

The plan
would tend
to make the
University the
judge as to
Candidates
for Orders.

Candidates
for Holy Or-
ders would
be virtually
forced into
this School.

Office of Uni-
versity as to
Theology.

225. Another objection to such a school is, that it is the first step towards making the University Professors a preliminary tribunal, which a student must satisfy, before he could offer himself to the Bishop for examination for Holy Orders. I say, "the first step," because, although the choice is, in the first instance, left to the student, the whole meaning of the recommendation of the division of studies into the four schools, is to make the education of the last year strictly Professional, as in the German Universities, from which the system is borrowed. The recommendation of the Commissioners, if adopted, would leave no one school of preliminary study; for they remove ancient History from the schools of mental Philosophy and Philology. A student who hoped to receive Holy Orders would, on their theory, have his choice only, between a school of mental Philosophy and Philology, *which excluded Divinity*, or a school of Divinity which excluded all those other studies, by which the mind is expanded and traced. The object of the recommendation is avowed to be, to make "Theology," "after the second examination," "separated from the Literæ Humaniores," "a distinct Theological Faculty," to which all those who are preparing for Holy Orders should belong. But in that they assign to the Professors the appointment of the Examiners, they would put into the hands of the Professors the power of rejecting a student on doctrinal grounds, on their own judgment, apart from the question of his Theological attainments. Such a power is, in fact, essential to an examination in Theology, else the Examiners might have to accept Arians or Socinians, or, if they should assign honors, assign them to a Rationalist. But the University has no office to be a preliminary tribunal for Candidates for Holy Orders. Its office, with regard to Theology, is either general towards all its students whom it undertakes to educate, or particular, as to its own Theological degrees. It has a right to place where it will, its own standard for those who desire from it the testimonial of a degree in Divinity. It has a right, as "a seminary of sound and religious learning," to require of *all*, to whom it gives any degree at all, that amount of knowledge of Holy Scripture and the faith, which it judges that an educated Christian ought to have. But it has no right to take into account the

future profession of any candidate for a degree, or to interpose itself between the young student and the Bishop.

Rev. Dr. Pusey.

226. To make the special study of Theology, as a science, to the exclusion of the Arts, the final condition of the first Degree in Arts, would be an absurdity. To require that all Candidates for Holy Orders should pass an examination in the science of Theology (as distinct from the general knowledge of the subject) would be an usurpation, unknown to any foreign University. For it would be idle to say, that the Candidate for Holy Orders would have the alternative of leaving the study of Theology altogether, and betaking himself to the study of Mental Philosophy and Philology, to the exclusion of religious study.

Proposed school an usurpation.

227. Such a tribunal is not recognised even in the German Universities. Those students of Theology alone pass the University examination in Theology, who wish to become teachers at the University. Those who wish to act as "Preachers" are examined by the Ecclesiastical authorities, I believe, the Consistories.

Such a tribunal unknown even in Germany.

228. The present examinations can place no such bar. The very fact that the same knowledge is required of all students precludes the very idea of making it a Theological test. The very way in which the Examiners are still appointed, with the approval of Convocation, precludes their belonging exclusively to any school. The Universities are the right judges, whom they shall admit to their Theological degrees, and on what conditions. They have no right to require all Candidates for Holy Orders to receive those degrees, nor to make the degree of B.A., for them, a Theological Degree, under a false name. The Church of England has never recognised any such tribunal. Nor is it right to leave to the Bishops the choice only, either of accepting as Candidates for Holy Orders those only, whom the Professors of the University shall think right to recognise, or to ignore the judgment of the Professors, and accept Candidates without any degree.

No such test at present.

It would be to depart from the province of the University,

in a way unknown to the Church of England.

Interferes with the Bishops.

229. It is only on this ground that I have abstained from taking any part as to the "Voluntary Examinations" in Theology, thinking that the voluntary examination was only a first step towards a compulsory examination, which would, I thought, be overstepping the province of the University, in-

Rev. Dr. Pusey. interfere with the free choice of the Bishops, and tend to place the selection of half the Clergy of England in a small Board, themselves, for the most part, appointed by the Prime Minister of the day.

Objections to detailed recommendations as to School of Theology.

230. There are two subjects connected with the proposed Examination which it is right yet to notice. They speak of it as a disadvantage to the country that "the history of doctrines has scarcely been treated in this country." They express the hope, that "many among her sons may gain a profound acquaintance with the history and criticism of Sacred Books."

"History of Doctrines."

231. It is to be hoped that under the word "the history of doctrines," the Commissioners do not mean what alone is meant under the term which they have translated, (*Dogmengeschichte*,) the gradual development of the fundamental truths of the Gospel, under the influence of powerful minds, or amid the pressure of heretical speculation. I am satisfied, for myself, that there is no such real history, because there is no such reality, the faith having been, once for all, fully made known to the inspired Apostles, and by them inserted in Holy Scripture, and committed to the Church. The name which the Commissioners have unhappily adopted presupposes, as it is commonly used, the human origin of great part of the faith.

"Criticism of the Sacred Books."

232. The other subject, "the history and criticism of the Sacred Books," I may the rather speak on, because, as regards the Old Testament, it would belong to my own office. If by "criticism of the Sacred Books" is meant any thing but an accurate knowledge of those books in their original languages; if any thing is meant, corresponding to what would be so entitled in Germany, whether what the Germans call "the lower," (*niedere Kritik*,) or what they call "the higher criticism," (*höhere Kritik*,) I can hardly imagine any study less fitted for a young man. The so-called "lower criticism" is, of all studies, the driest, and to the ordinary student the most useless: the "higher criticism" is the most uncertain and precarious.

Uselessness of what is called criticism of Old and New Testament to young men.

233. For the "lower criticism," it would simply be to burden the mind of a young man to give him an account of Versions and of families of MSS., which, unless he were to devote himself to this one study, he could never use or appreciate.

It would be mere charlatanism, to represent it as any benefit to him, to know that there are so many Chaldee versions of parts of the Old Testament; that the LXX was probably translated by so many different hands; that the translations are very unequal; that such a translation is the worst; that there are fragments of so many other Greek versions; that such and such are the characteristics of the several Chaldee, or Greek or the Syriac version of the Old Testament, or of the Samaritan Pentateuch and Version; when without sacrificing other more important studies, he cannot even learn the characters of the Eastern Versions, or spell their words, and if he had a Hexapla and looked into it, not to own himself bewildered, would be the very way to be misled.

234. The other, so-called "higher criticism," (whereby the Germans have theorised about the human instruments employed by God in writing the sacred books,) is, in Germany, one battle-field, in which no result, generally acquiesced in, has been gained. Rationalists have been enlisted against Rationalists. Theories have been set up, (like children's playthings, if they were but as innocent,) only to be thrown down. "Diruit, ædificat, mutat quadrata rotundis," might be the motto of the German "history of the sacred books;" only while there has been a great deal of the "diruit," there has been very little of the "ædificat," save of theories of their own. The Germans themselves do not profess to have come to any result, and the sounder critics re-occupy the same ground as ourselves. The theorising has been carried on mostly with some human, very commonly with some unbelieving, motive. It has proposed to itself, mostly, an object beyond our reach. Our Lord has set His seal upon the Old Testament. They who do not believe His Word will not, on any internal evidence, believe the genuineness or inspiration of the Pentateuch, and those who believe its genuineness will not *therefore* (as appeared in Eichhorn and others) believe its inspiration. Criticism may, in subordination to, and belief in, the declaration of our Lord, point out certain internal evidences, either in the language or contents of the Old Testament, which correspond with it. But of this, too, the young man will be no judge. The knowledge, as far as it can be attained at all, belongs to the *end* of study, not to its beginning. To one, who would engage in such a

*Rev. Dr.
Pusey.*

Higher criticism, as it is called, unfitted and injurious.

Rev. Dr. Pusey. field, the language of the sacred books should be as familiar; and known as idiomatically, as his own^s.

235. Both of these subjects would be misplaced for the general student. The only result to him could be a cramped, superficial, undigested and indigestible knowledge; well, if it were not inflating also, a real ignorance, which did not even know its own ignorance.

The value of Hebrew for the ordinary student, religious, not critical.

236. The study of Hebrew has its great use for the Old Testament, as well as that of Greek for the New Testament. Yet, in either case, its use for the ordinary student is not to make him wiser than our translators, nor even, in this way, to enter upon "the criticism of the Old Testament;" but rather that he may enter more fully into the simple meaning of God's word. For devotional purposes, and to learn some deeper meanings of Holy Scripture, Hebrew is an easy and simple, as it is also, in its depth, a beautiful language. For the critical interpretation of the more difficult passages, (in consequence of the paucity of the sacred books remaining,) a combination of knowledge and judgment is required, such as can hardly be called into action in any other language. Languages, however difficult, (such as Arabic or Sanscrit,) are still independent studies. The means of studying other languages lies within themselves. In Hebrew we have to combine the idiomatic knowledge of the language itself, the idiomatic knowledge of other cognate languages, the traditional knowledge of the Jews themselves, as contained in their Commentaries or in their Hebrew or Arabic Lexica, the vestiges of ancient tradition in the different ancient versions, often conflicting with one another, or (in the rendering of the same word in different places) with themselves; in the versions themselves we have often to consider whether they are, in any given case, translations or paraphrases, and, if they are opposed to one another, which is to be preferred, as well from its general character as from the consideration of the place itself; whether the parti-

^s Of all the introductions into the Old Testament, published in Germany, the only two, which, up to a late period, could be considered sound, were by two Roman Catholic Professors, Jahn's on the Old Testament and Hug's on the New. Yet I could not many years ago read Hug's work without the conviction that he was a concealed Rationalist. Jahn's work is very dry, and he too left behind him heretical writings.

cular translation may be founded on the mistake of words like *Rev. Dr. Pusey.* to one another, and so on.

237. I have no doubt that it is far safer for persons, unless Far safer for students to trust to the English version than to criticise. they can give themselves for a long time exclusively to the study of Hebrew and the auxiliary studies, to trust to the English version, (which is mostly so good,) than to meddle with Hebrew criticism with any view to improve it. For one case in which a person might light upon an amendment of it, in ninety-nine he would take up with some blunder. Pococke, who had all the aids for understanding Hebrew which we have at this day, and whose learning in this respect has probably not since been equalled, in commenting upon one of the most difficult books of the Old Testament, the Prophet Hosea, generally sums up: "The English version will probably be thought as good as any." Of myself I may say, that at twenty-seven or twenty-eight, I should have made changes in the English version, which I should now think mistaken; and that for some years I had gradually to unlearn criticisms which, at an earlier age, in deference to some plausible arguments, I should have adopted. I have long said to Hebrew students, that the way to learn Hebrew is to learn it in the very simplest way, not troubling themselves with criticism, until they should have gained a full and idiomatic knowledge of the language. Even with advanced students there is as much to be done in guarding false criticism, as in selecting for them the true. The less the Hebrew student meddles with criticism, the better student.

238. But if it is considered, that according to the proposed The Report holds out hopes which are impossible. plan, this whole scheme of Theology is to be compressed into the period after the second Examination, that young men of twenty are, in the time between the close of the eighth or twelfth term, and that at which they take the degree, to be instructed in the knowledge of the Scriptures in their original languages, including the "critical study of St. Paul," and the knowledge of Hebrew (of which the very fewest even know the letters), "Ecclesiastical History" (including of course the later as well as the earlier) "and Antiquities," "Dogmatic Theology," including "the history of doctrines" (and so a careful inquiry into the history of heresies), and "Pastoral Theology," it would plainly be a delusion to think that however "earnest students" may be, they will gain "a profound acquaintance" with any thing upon such a system as this. "Learned theologians"

*Rev. Dr.
Pusey.*

were not (as I said before) made thus, but by a long continued residence at Universities, by the leisure of cathedral preferments, and much more, such as were really great, by the stirring of the times and the needs of the church. The "University may be to blame, if Theological studies languish;" but *they* must share the blame, who for so long a time, first in their fear of the clergy gave the cathedral-stalls to unworthy persons, and afterwards sold them for political interests.

Evils of the
plan.

239. I believe then, that *this* plan of the Commissioners tends to contract the mind by premature Professional study, and to make that study in the case of secular Professions, irreligious, and in Theology to substitute an immature and undigested knowledge for solid discipline of mind.

Province of
Mental Phi-
losophy as to
religion,

240. I cannot pass without protest another statement of the Commissioners, bearing upon the studies of this place, especially when coupled with the praise which they bestow on the philosophy of Locke. "We recommend it [Mental Philosophy] with the hope that the Theological student may have the opportunity of better preparation for entering on the abstruse questions of Divinity which relate to the attributes of God and the nature and condition of man." I do most entirely believe, and I think that the history of German metaphysics or Greek philosophy alike shews, that no study of mental philosophy in the least prepares the mind to understand "the abstract questions of the attributes of God." We can neither know nor understand any thing of God *a priori*; and if we think to do so, we are but preparing ourselves to be misled. The most powerful mind of all Christian antiquity was held for nine years in the debasing superstition of Manicheism, because it could not resolve to acknowledge its ignorance, "whence is evil?" "Crede, ut intelligas," is the great motto which he has left for Christian philosophy. We know nothing of God,

not to under-
stand God.

Faith the key
to under-
standing.

save what He reveals to us. Faith alone understands what may be understood of the Being or attributes of God; Faith only can or will acknowledge "the nature and condition of man." Intellectually it is impossible to understand how evil can co-exist with Infinite Love, Wisdom and Power; intellectually, it is impossible to justify the free-agency of man or the efficacy of prayer. But "with the heart man believeth unto

salvation ;" and the voice of the conscience is God's voice within us, telling us of our own freedom and responsibility, although the intellect cannot reconcile it with the *absolute* knowledge of Almighty God. A shallow philosophy, Twisten says, "^u marvelled at Lessing's Pantheism or Jacobi's defence of its consistency for the [mere] understanding." The province of "mental philosophy" as bearing upon revelation, is much more to ascertain the limits of our own mind, than to understand abstract questions about the Mind of God. The acknowledgment of our ignorance is the bridge over the abyss of unbelief to unhesitating faith. Philosophy may beat off objections; it cannot ground faith. The very foundation of Butler's great work is the appeal to conscience against the cavils of the understanding. Locke, whom the Commissioners so strangely set side by side with Butler ^x, is now acknowledged in Germany to be one of the shallowest writers who ever treated on the human mind; and at the same time the forerunner of infidelity. "Such a Philosophy," says Stäudlin ^y among others, "led, in itself, away from Supernaturalism and to Naturalism. Believing and moral as its author was, he promoted unbelief and laxity in matters of religion and morality. In a special work he made Christianity so reasonable and simple, that it was not without ground thought to have a decided tendency to Naturalism. His Philosophy found in France many friends and defenders, who, consistently enough, used its principles to dispute all positive religion, nay, in behalf of Materialism and Atheism." Another thoughtful German pointed out the effects of his writings in superficializing Christianity.

Rev. Dr. Pusey.

Locke superficial and Rationalist.

241. RECOMMENDATIONS 14 and 17. "The amalgamation of some of the Professorships" which belong to the same department, is simply a matter of detail. It is remarkable that there should be two Professors of a language so little studied as Arabic; but there would not be any great gain, in the transfer of the "payment of 50*l.* per annum out of Her Majesty's alms, which by the charge for fees is reduced to 40*l.*"

Amalgamation of Professorships.

^u Dogmatik, p. 139 note.

^x "One or more additional Professorships are needed to carry on the researches of moral and mental science in a manner worthy of the University of Locke and Butler." Report, p. 102.

^y Gesch. d. Theol. Wiss. ii. 294, 5.

Rev. Dr. Pusey. (which Dr. Macbride says² is the endowment of the Lord Almoner's Professorship) to the somewhat better endowed Laudian Professor of Arabic. As this gift is Her Majesty's, perhaps she might, when any vacancy should occur, be advised to transfer it to Syriac, as being a language in which there are large Christian remains, and which the recent accessions from Egypt, in addition to those already possessed by the Bodleian, have made so important and unexplored a branch of study.

Better to change one Arabic Professorship into a Syriac Professorship, than merge the two.

242. The important question as to "further endowments being obtained by placing Professorships in certain colleges, according to precedents set by the founders of Magdalen and Corpus," turns upon the question who shall appoint them, the College or some extrinsic person or body, and so will come best under consideration with *Recomm. 16.*

Assistant Professors are Tutors under new name.

243. The 17th *RECOMMENDATION* again chiefly turns upon the *appointment* of Assistant Professors or Lecturers. For these, under a new name, are, in fact, only a new class of Tutors, in different subjects.

Question for the University, how she will carry on the plan which she has adopted.

244. And here the University itself has (apart from the Recommendations of the Commissioners) to consider how she will provide for the instruction in those studies which she has lately decided to admit into the Examination for her degree of B. A. In considering this, the University will, doubtless, proceed cautiously, not changing her institutions prematurely, until she sees what occasion there is for change, and if there be such occasion, how great the change should be. This must depend on the disposition of her actual students to engage in any branch of study for instruction in which there is no great provision, or what indication there may be, that other students of the same class will resort here³. But since in several colleges there are fellowships both for law and medicine, there is nothing contrary to any principle, either in devoting what fellowships may be needed, for the study of law and medicine; and, again, since the Heads and Canons are allowed to marry, in order to retain older men for important offices, there is nothing which can be objected to, on any principle, in allowing certain Tutors or Lecturers to marry, and yet retain their fellowships.

² *Evid.* p. 280.

³ Some questions lately circulated by the Tutors' Association are calculated to aid in arriving at some probable result.

245. But here it is to be observed, that of the three schools now provided by the Statutes, the two first, the Classical and Mathematical schools, are, as to Tutorial instruction, provided for already, being the same as before existed. Of a 3rd, the Law school, both Mr. Denison and Mr. Bethell, who recommend the introduction of the study here, alike urge the adoption of the Tutorial, not the Professorial, system. Mr. Bethell I have already quoted. Mr. Denison says^b, “A teacher, who is to be really efficient, must not be a mere reader of written Lectures. The rudiments of law, like those of all other practical sciences, must be worked into the mind more by the constant teaching of a Tutor, than by the occasional essays of a Lecturer.”

Rev. Dr. Pusey.

Classical and Mathematical Tutorships provided for already.

In the Law-school Tutorships, not Professors, are recommended.

246. And not only so, but the best lecture-rooms, Mr. Denison seems to say, will be in the Courts: “It will be observed, that I speak only of *the rudiments*. In Legal science, instruction must be finished in *the Courts*. There every trial is a set of Professor’s Lectures, more or less complete.”

The Courts said to be the Lecture-rooms.

247. There is no reason why the Fellows who are Tutors should not read Justinian with their pupils as much as Aristotle; or why Law fellowships should not be employed in the service of the University instead of eking out the income of Junior, or other, Barristers until they marry.

Fellows, being Tutors, can give instruction.

248. When teachers are wanted, they will not be wanting. Dr. Macbride speaks from past experience^c: “I am of sufficient standing to recollect the introduction of the present system of examination in Classics and Mathematics. The Tutors were then, speaking generally, very deficient, but they either qualified themselves or retired, and the system soon formed new ones, and so I think it will prove now. Still in History and Natural Science, I look mainly to the Tutors as preparing their pupils for the Professor’s Lectures, not as superseding them.”

Past experience.

249. The Report does not recommend (as far as I observe) Assistant Lecturers in the Physical sciences. If such were thought advisable, Medical Fellowships might be allotted to them and provide for them.

250. The more important question is the mode of their appointment.

^b Evid. p. 198.

^c Report, p. 104.

Rev. Dr. Pusey. 251. RECOMMENDATION 16. The Recommendation is twofold: 1. To give to the Crown all newly created chairs;

Appointment
to Professor-
ships.

2. To transfer to the newly-modelled Congregation the appointment of all the Professorships vested in Convocation, in the Graduates of Divinity or in the Heads of Houses.

Nomination
by the Prime
Minister.

252. It is necessary to speak plainly, but it is commonly believed that the Crown now interferes as little with the appointments made in the name of the Crown, as any of H. M.'s subjects. The nomination by the Crown is "*magni nominis umbra*." The real patron of the appointments of the Crown is the Prime Minister, and the real appointer of the Prime Minister is not the Sovereign, nor the people of England, but the majority of the electors. The Crown has but a choice of the Prime Minister within certain limits.

Crown ac-
quired nomi-
nation of Pro-
fessorships by
endowing
them.

253. But on what ground is the Prime Minister of the day to have the nomination of all newly created chairs? The Crown has hitherto acquired the nomination of Professorships, in the character of a patron, by endowing them. Now, it is proposed that fourteen, or, if need be, sixteen Professorships or more should be created out of the fellowships of different Colleges, and the nomination to them should be given to the Prime Minister of the day. Of the existing Professorships, ten are in fact in his nomination; it is now proposed to add to this patronage of the Prime Minister fourteen or sixteen. It is urged, in behalf of the appointment by the Crown, that this mode of appointment has, on the whole, been beneficial to the University. The list of those who have been Regius Professors of Divinity, as contrasted with the Margaret Professors, is appealed to, as a "*striking proof*" of the superiority of this mode of appointment. But it is wholly overlooked, that in the days to which this appeal is made, the nomination of the Regius Professor was really with the Sovereign, and that the responsible adviser of the Sovereign was not the Prime Minister but the Archbishop of Canterbury, or, in the reigns of William and Mary and Anne, a Commission of which the leading members were bishops. It was under this mode of appointment that those Professors were nominated, whose names would probably be appealed to, Abbot, John Prideaux, Sanderson, Allestree, Potter. It is said that, until 1836, there was no instance, in which the Archbishop of Canterbury

Nomination
of the Crown
to the Regius
Professorships
of Divinity
often good.

But Arch-
bishops or Bi-
shops not the
Prime mini-
ster, the ad-
visers of the
Sovereign.

had not been consulted, upon the nomination of the Regius Professor. The same may be said as to the Regius Professor of Hebrew. Pococke (the first in his line, until now) was appointed through the influence of Laud. Nor, from that time until now, has any appointment, I believe, taken place without the concurrence of the Archbishop. On the other hand, among the Regius Professors of Civil Law, and of Medicine, there has not been a single name of any great eminence, I believe, since the foundation of the Professorships. The Report^d itself mentions that "the Vinerian Professorship was founded in 1755 by Mr. Viner, to create a sphere for the energies of Blackstone, who had, at Lord Mansfield's suggestion, opened a course of lectures on the Laws of England, when on political grounds another competitor was preferred to him for the Chair of Civil Law." The Commissioners then themselves acknowledge a flagrant instance of political partiality on the part of the Prime Minister. It may readily be imagined what would have been said, had it been Convocation which preferred Dr. Robert Jenner to Blackstone. Again, for above a century from the foundation to the appointment of Dr. Arnold, there is not, I believe, one name of eminence among the Professors of Modern History. Among the Regius Professors of Greek, there occur before the present, in three centuries, I think, three distinguished names. The other Professorships to which the Crown has appointed are recent, except the Professorship of Arabic, from which no work has issued. The recent appointments to the two new Theological Chairs were understood to be the recommendation of the late Primate.

Rev. Dr. Pusey.

So also as to Pococke and other Hebrew Professors.

The Crown's nominations to Professorships of Civil Law and Medicine not eminent, nor Modern History for a century.

Flagrant political nomination acknowledged in Report.

Three eminent Professors only of Greek in three centuries.

The case as to Crown appointments not made out.

Prime Minister exposed to nominate on political grounds.

254. So far, then, from its being made out, that the nomination by the Prime Minister is eligible, the only cases in which the Crown appointments have been good, have been those in which the Archbishops were the responsible advisers.

255. It is true, as it is stated, that "we are not likely to have an Administration strong enough to make obviously bad appointments," if by bad be meant, "persons incompetent from ignorance." But it is very notorious, that, even in much more important recommendations, the Prime Minister has avowedly been swayed by political grounds; that those only were appointed, who took his own political line, or would sup-

Rev. Dr. Pusey.

Eminent scientific men may be very bad teachers of youth.

Theory of liberalising the Church has been avowed.

port certain educational measures which he wished to carry through. And amid the scepticism, which has too extensively prevailed among those devoted to physical science, a person may be very eminent in his profession, who still would be a very bad instructor of youth. Since, also, a Prime Minister publicly avowed his intention to "liberalize the Church through the Bishops," the University generally, and those who desire to see the Church unchanged, would deprecate exceedingly any extension of an influence which could be so employed. It would be but a continuance of the same principle, to attempt to "liberalize" the University through her Professors. Yet unless "liberalism" is the paramount qualification for "the office of a Bishop," his avowal (quite apart from the case which drew it forth,) was in truth, the avowal of an intention, deliberately and systematically to abuse the most solemn trust which can be reposed in the Prime Minister.

Charges brought against Nominations of Convocation unfounded :

not influenced in the main by College influence ;

nor objects of party.

256. On the other hand, very unfounded and prejudiced charges have been brought against the election by Convocation. Among the Professors of Poetry are the names of Spence, Lowth, T. Warton, besides those more recent. Among those of Ancient History were Henry Dodwell of Dublin, and Lord Stowell. But it is enough to look down the list of names of the Professors elected by Convocation to be aware, that whatever incidental and insulated abuse there may at any time have been (I know of none), there is no evidence whatever that those Professors have not been, in the main, conscientiously appointed, or that College influence has prevailed in the election. The Professors elected by Convocation are those of Ancient History, Poetry, Common Law, Chemistry, the Aldrichian Professor of Medicine, Political Economy, Sanscrit, Logic. I know of no instance in which an Election has been carried by College influence. Individual wrong votes are neutralized in so large a body as Convocation. Nor do I recollect any instance of party-feeling in an election, unless it be one in which it was thought, rightly or wrongly, that, in an election to the Professorship of Poetry, the author of some volumes of poetry was opposed, simply on account of some tracts which he had written. The charge then of party influences is unfounded ^e. Very recently, again, a Candidate for the same

^e Professor Vaughan, in a statement much commended by the Commis-

Professorship who was a member of the largest College withdrew from competition with a Candidate from a smaller. In another case, in which no one doubted that the Prime Minister made a mistake, Convocation would unquestionably have chosen one with higher talents and more scientific knowledge.

Rev. Dr. Pusey.

Recent instance of good election by Convocation ; mistake of Prime Minister.

No ground for depriving Convocation.

257. There seems then no ground for depriving Convocation of the right which it has long exercised, and, in the main, well discharged. Unless indeed Convocation, as it is already very generally contented to leave the disposition of these details in the hands of the residents, so also it should leave to them the nomination of the Professors. The *whole* body of residents is a good representative of the whole body of Convocation ; nor probably has there been any instance, unless in times of great excitement, (and of this also I have no certain recollection,) when the majority of residents and non-residents have been on opposite sides.

Convocation generally coincides with residents.

258. Two other Professorships only, but those very important, are brought into question by the Commissioners, the Margaret Professorship of Divinity, the election to which is now vested in the Graduates of Divinity ; and the Professorship for the Interpretation of Holy Scripture, founded by the bequest of Dean Ireland in 1842, the appointment to which he vested in the Heads of Colleges and Halls. The Commissioners propose that the nomination to both should be transferred to the new-modelled Congregation. On what ground a body, including, as it is proposed, about forty Professors, and at least as many Assistant Professors,—of whom five only, on the vacancy of either of these Professorships, would be Theologians, and the rest, as it may be, lawyers or physicians, or scientific men in different departments,—should

Margaret Professorship of Divinity and Dean Ireland's.

Unfitness of proposed Congregation.

sioners, states that there was a second instance. "It was notorious on one occasion, that the Chair of Political Economy was assigned to a gentleman by a religious party, in consequence of his supposed orthodoxy, on a purely ecclesiastical question, and their countenance and support was again withdrawn from him on account of a supposed heterodoxy on another point." (Evid. p. 90.) It is somewhat strange to give as an instance of "the struggles for ascendancy for particular parties in the Church" a case in which a number of persons, who thought alike, took no part whatever, because they were not satisfied as to any of the Candidates. But their object would have been to elect one who would have taught Political Economy on Christian principles.

Rev. Dr. Pusey. be selected to make choice of two Professors of Theology, it is difficult to imagine. But the violation of the will of a Founder so recent as Dean Ireland, who deliberately annexed the mode of appointment, as a condition of his bequest, would be so flagrant, that the University could, in honesty, have no other choice than to allow the bequest to be devoted to the other purposes mentioned in his will. Certainly, many members of Convocation did not like the mode of appointment, yet saw that there was no choice, but to accept the terms as a whole, or to relinquish this Professorship.

Violation of recent will of Founder: if so, Professorship should be resigned.

Electors to Margaret Professorship had best be continued.

Nearest other approach to original, residents in Priest's Orders.

259. The Electors to the Margaret Professorship are, in consequence of the limited number of those who take the higher degrees, fewer in number and more confined to particular Colleges, than they were at the time of the foundation. Still one should hope that, amid the improved tone of the University, the Graduates of Divinity would not allow private partialities to interfere in so important an appointment. If any alteration were made, (which yet seems undesirable,) those of the residents who should be in Priest's Orders, would more nearly correspond to the original plan, than the proposed Congregation.

Misstatement as to Margaret Professor of Divinity removed.

260. I may perhaps be allowed to correct a statement which might mislead. "It^f may be stated, that some years ago, when party feeling ran high in the University, there was an apprehension that the Margaret Professor would not be re-elected." It might be imagined from this, that some parties had seriously entertained the thought of displacing him; for the Commissioners would hardly, in a grave Report, insert the mention of what they deemed idle apprehensions. No such thought was, I believe, ever entertained by any person of any weight in the University. I never heard of it. But the continual imputation of party-feeling in the Report seems a grave fault in persons, acting in the name and with the sanction of the Crown.

Proposed location of Professors in Colleges different from that of Professors in Christ Church.

261. There seems then to be no ground for changing the nomination of the existing Professorships. The difficulty as to the nomination of the new Professorships, if they are to be located in different Colleges, is more or less great according to the position which they occupy there. The Commissioners state,

^f Report, p. 106, 7.

that "the nomination to the Professor-fellowships would be no greater hardship on the Colleges, than the nomination of the Dean of Christ Church and its Canon-Professors by the Crown is on that society." The cases are wholly dissimilar. 1. The nomination of the Dean and Canons by the Crown was part of the original condition upon which Christ Church was endowed by King Henry VIII. The annexation of Professorships to the Canonries in no way affected the mode of nomination. It limited only the choice of the Crown, in that certain qualifications must be possessed by the persons so nominated. 2. The Dean and Canons, although forming one Chapter, do not live together in one society, like the Fellows of Colleges. This might, very probably, be the case as to the Professor-Fellows, but it is not contemplated by the Commissioners. They speak of the College, as his "Academical home." In this case, the appointment of a stranger, as a member of the body, in intimate daily intercourse with the members of the body, yet without any choice of theirs, would, I should think, be accounted a hardship by the members of any College; and would be deprecated still further, as a precedent for further interference. The Commissioners expressly contemplate that Foreigners ought not to be excluded^h; that, in such cases, subscription to the Thirty-nine Articles should not be required; and, of course, still less would it be required that they should be members of the Church of England. It was considered illiberal, some years back, when the appointment of a very eminent surgeon in an hospital in London was objected to, because he had written in defence of Materialism. The Commissioners think that it would be right to retain, as to the lectures of the foreign Professors, "theⁱ statute which forbids all Professors to impugn the faith of the Church of England, directly or indirectly." This would be a guard against overt attacks in lectures. It would be no safeguard against the continued intercourse within the College Walls. It is accounted invidious to doubt whether persons are Christians. All, who so call themselves, are so accounted. An eminent German Professor of Hebrew, and a Commentator on Holy Scripture, could not understand, why a learned Jew should

*Rev. Dr.
Pusey.*

^g Report, p. 181.

^h P. 107.

ⁱ P. 108.

Rev. Dr. Pusey. become a Christian. Upon his persevering, he advised him, "If you become a Christian, be altogether a Christian" (sey ganz ein Christ). It would have been held invidious all his life long, to deny that the Professor was, what he himself thus owned that he was not.

Difficulties
arising from
the character
of modern
unbelief.

262. It is worse than useless not to speak plainly. Open and offensive infidelity is, I am ready to believe, as much out of fashion now, among our educated classes, as it was *in* fashion at the beginning of the last century. But men's reason is (except in some eminent instances) as little subdued to the Gospel now as then. Yet because infidelity *now* is not, ordinarily, avowed openly, it is very little thought of. Every body is assumed to be a Christian, who does not openly proclaim himself an infidel. And this, as far as relates to individual judgments, is, of course, right. But in this way persons pass currently for Christians, whom, to go no further back, the Reformers certainly would not have accounted Christians, or who would not themselves say that they believed "the Articles of the Christian faith," or had any definite faith in our Lord. And yet if the question were about bringing any eminent scientific person to be a Professor here, the last question which I should suppose that a Prime Minister would ask, would be, whether he was a Christian? It would be taken for granted, if he did not deny it. A Prime Minister would suppose that he had consulted very well for the University, if he had appointed one of eminent attainments, in whatever line it might be. But then, according to this theory of appointment, the individual so appointed would become the actual fellow of a College, take part in the election of its other fellows, use whatever amount of influence his talents or attainments might give him, and carry poison into the heart of our Institutions. Infidelity is just as much the peril of this day, as of the preceding; only its form is different, more subtle but more dangerous. It is and will be so, probably, now until the end, of which our Lord says, "When the Son of man cometh, shall He find faith on the earth?"

263. I should think that the Colleges themselves who are concerned, would, if they are not to have the right of electing the Professor-Fellows, prefer giving up that portion of their resources out of which the Professorships would be endowed.

Difference
between the

264. There seems to be no meaning in accounting them

Fellows of the Colleges. The lecturers, whom Fox and Waynflete and Wolsey contemplated, were to benefit, first the College, then the University. They were to be elected by the College itself, just as every other Fellow. I do not think, myself, that it would be hazardous to try this now. I should think that if the Colleges were put on trial, and knew that the very tenure of their nomination was the goodness of their appointments, they would make as good choice of persons adapted to benefit the University as any others, far better than any person less acquainted with the feelings and mind of the University. The most learned man whom Oxford has long had, is the venerable Head of one of these Colleges. Any how, it seems right to make the trial. The Commissioners say, "We have some means of judging, from the injunctions of Waynflete and Fox, how great Founders would have acted in their times." At least, *they* would not have condemned the Institution untried. These Colleges have received certain trusts. They have not, this long time, been acted upon. The Commissioners themselves mention the^k case of the Professorship of Moral Philosophy, which, by some strange negligence, from 1673 to 1829, was allowed by the University to be held in commendam by the Senior Proctor, in order to eke out the income of his office. The flaw was noticed and rectified. As there was no wrong motive in the University, so neither need there have been in individual Colleges. To punish, on an instant, without notice to amend, is that "sum-mum jus," which is "summa injuria." Those Colleges have trusted, of late at least, to the general system of the University, to supply that teaching which, at an earlier period, their Founders looked to bestow upon the University through them. No one has complained, no one has asked it at their hands. Let them now be called upon to fulfil the trust which they have received. We have no reason to anticipate that they will not, when so called upon, fulfil the trust. The time to remove it from their hands would be after they had refused, not before.

265. But, if so, it would seem far better not to introduce the anomaly of a foreign appointment into the heart of a College.

Rev. Dr. Pusey.

proposed Professor-fellows and those contemplated by Fox and Waynflete. No ground, not to trust the Colleges to elect their own lecturers.

Injustice is to condemn without notice to restore the Institution themselves.

Anomaly of introducing foreign ap-

^k Report, p. 105.

Rev. Dr. Pusey. Six married Professors could not reside in Magdalene, as it now is, nor two in Corpus Christi College, without displacing those who have a prior right to reside there. They would not live with the rest of the College, nor have the same interests, nor mostly the same pursuits. The duty of the Fellow is towards his College; the duty of the Professor would be towards the University. The duty of Tutors would be in forming the minds of the young men; the duties of the Professors, perhaps, in studying some abstract science.

pointments
into a College
system.

Better that
such Profes-
sors should be
wholly inde-
pendent.

266. If the Professors are to be appointed by any body or individual not connected with the College, it would, I should think, be far better that they should be honorary, not actual Fellows, residing wherever, within the precincts of the University, it should be convenient to them, having their appointed income, but not mixed up with the interior regulation of the College, its arrangements, or elections. It would be an anomaly, that a Professor, in every other respect made altogether equal to the Head, should, as a Fellow, be as entirely subordinate to him as the other Fellows. The arrangement of Bp. Fox, mentioned by the Commissioners (if I understand it rightly¹), favours such a plan. For it can hardly be supposed that persons "excused from taking the oath demanded from other members of the society," would take the same part in all which related to the society, as those who were under the obligations of that oath.

Nomination
of Professors
founded by
Convocation,
might perhaps
be well vested
in the Resi-
dent Mem-
bers of Con-
vocation.

Confidence of
Non-residents
in them.

Term "Resi-
dents" easily
defined.

267. If Professorships are formed through funds of the University itself, (and it was reported, some time past, that it was the intention of your Board to propose to Convocation the founding of a Professor of Latin Literature,) it might be well to consider whether the *whole* body of *resident* members of Convocation might not be a good elective body. Practically, I suppose that it has been the body, through whom all questions relating to the University have been settled. When there has been a conflict of opinion, non-residents have come up on either side, either to express their own feelings or because it was thought that other non-residents would come up on the opposite side. The term "Resident Members" might be defined to include all who hold office in the University and the several Colleges, and all others who were re-

¹ Report, p. 179.

gularly resident within the University within the last four *Rev. Dr. Pusey.*
 Academical terms. The "residents" are a recognised body, and so could easily be defined. No individual College would have any commanding influence. The individuals, among whom the choice for the Professorship would lie, their character, attainments, habits, talents, would be generally known. The body would not be so large, that it could be thought that individuals would throw off their sense of responsibility. Every class would be represented among them. The great majority of them would be hard-working, practical men, well acquainted with the wants of the University, and alive to them, and deeply interested in her well-being. Should the plan promise to answer well, when tried in a single Professorship, it might afterwards be extended. If it should fail, it could easily be withdrawn. *Advantages of this body.*

268. There are two recommendations, directly indeed relating to the Colleges, but so much bearing upon these subjects, that I may be allowed, perhaps, to say a few words on them. They are the 32nd and 38th.

269. RECOMMENDATION 32. "That persons elected to Fellowships should be released from all restrictions on the tenure of their Fellowships arising from the obligation to enter into Holy Orders." *Proposed abolition of obligation of Fellows to take Orders.*

270. The three grounds alleged^m upon which this recommendation is founded, are, 1) the temptation to persons to receive Holy Orders from an unworthy motive, in order simply to retain a fellowship; 2) the exclusion of persons whose calling might be to literary labours, but not to Holy Orders; 3) the tendency of a predominance of Clergy to promote Theological controversy. *Alleged grounds.*

271. To the 1st it may be said, that it is useless to attempt to remove temptation thus. If the Fellows are elected rightly, there will be no such temptation. The ground holds much more strongly against all private patronage of livings. The worst Clergy in the Church have been among those, who entered into Holy Orders, being tempted by the so-called family livings. The objection holds as strongly with regard to all endowments, and all secular advantages, attached to any sacred calling. They *will* be temptations to "hirelings;" but *1st ground presupposes election of unfit persons; others will not be so tempted to receive Orders unduly.*

^m Report, p. 163, 4.

Rev. Dr. Pusey. those whom it will be desirable to elect to be Fellows at all, will not be tempted to present themselves for ordination, with a lie in their mouths, when appealed to in the name of God.

More Fellowships tenable and held by laymen than are needed for literary ends.

Many Lay-Fellows already.

Professor of Chemistry.

Lay-Fellows mostly non-resident.

272. ii. There are already more Fellowships tenable by laymen and held by them, than are needed to meet any cases of persons who feel called to literary labours. If there have been few laymen among the Fellows, who have "devoted themselves to literary or scientific pursuits," the ground has not been that laymen have not been elected, but either laymen have been elected who were not disposed to give themselves to literary labour, or any how, they did not so give themselves. Yet there have been some eminent laymen, as things are. Nor is there any absence of laymen now. At Merton, the Warden, and nine out of the ten senior Fellows, were laymen, as given in the Calendar of 1852. In All Souls, out of 40 Fellows, 26 were laymen; and six out of the nine seniors. In New College, the four senior Fellows were laymen. In St. John's, four out of the first five: and in Magdalen, four out of the first six, the senior Fellow being the Professor of Chemistry. Magdalen has, then, for thirty years, maintained one eminent Professor of Physical science, whom she herself educated, although not those directed by Waynflete. At St. John's, 12 of the Fellowships are tenable by lawyers, one by a physician. At Christ Church, two lay Studentships are set apart for Law, two for Medicine, and one for literary purposes (which was given solely to encourage Numismatic study). These have commonly been among the oldest of the body of "Students." Besides this, all studentships are tenable by all, whatever their profession be, for a period averaging 10 or 12 years, i. e. ordinarily until they are about 30 or 31. At Oriel, the Senior Fellow is a layman, and three out of 18 are so habitually, in conformity to the permission of the Statutes.

273. As it is, the laymen, for the most part, have been non-resident, rendering no apparent services either to the College or the University, leaving residence, mostly, as soon as they could, in order to study in London, and, when they did not marry, checking the succession of fellowships. In Merton, the vacancies have, I believe, for many years been chiefly among the Junior Fellows. The seventh of the lay-fellows,

in 1850, must have been above fifty years old. In fact, there are few literary men among the Lay-Fellows, fewer than there have been among the Clergy, not simply on account of the relative difference of numbers, but because it is not part of English habits to make literary labour a profession. Nor would it, in itself, for the most part, be even desirable. Mere literary taste most commonly wastes itself. Nor will any age produce many men, who will either wish to devote themselves to mere literary labour, or would benefit the University or the world if they did. Nor would the Fellowship of a College much help such an one, either with or without the restriction of celibacy. The Commissioners do not think it desirable, for the most part, that the restriction should be withdrawn. But whether it were or not, it would not much help those who had no profession, unless they made up their minds so to devote themselves to their pursuits, as not to marry. Among laymen, especially, very few would so make up their minds beforehand. But unless any one did so, he would (whether the restriction of celibacy should be continued or no) have to look out for a provision for his future life. The fellowship would maintain him, while unmarried, not when married, even if he could retain it. In fact, although able men may, from time to time, have lost their fellowships by continuing as laymen, it has mostly been by continuing in a lay profession, and that, I believe, almost exclusively the law, at a distance from the University, discharging no duty towards it, and only assisting in the elections of their own College. And this, in the nature of things, will be so, because few men even wish to devote themselves to literature; almost the whole class of men, who would become Fellows of Colleges, would engage in some practical profession; and of these, Law and Medicine, for their study, for practice, and for eminence in them, require continued non-residence from the University. Even on the very ground alleged, a provision which should allow a dispensation from entering Holy Orders to any actually resident and engaged in the service of the College or the University, would meet the whole case.

274. iii. As to the dread of "religious controversy," if, by religious controversy, is meant an angry, unloving disputing about religious truth, it is, of course, an evil: although

Rev. Dr. Pusey.

Few literary persons among lay-fellows.

Literature not a profession.

Nor would a Fellowship ordinarily be a help.

Lay-Fellows who lose fellowship, chiefly barristers practically unconnected with the University.

Religious controversy not engendered by Fellows being Clergy.

Rev. Dr. Pusey. even then, (whatever be the infirmities of those engaged in it,) not so great an evil as religious apathy. But the mere ques-

Much more
in German
Universities
throughout.

Not greater
among Clergy
than laymen.

Presence of
scientific men
did not di-
minish con-
troversy in
Germany or
at Cambridge.

tion whether Fellows of Colleges should be Laity or Clergy, would not affect it. There was, through the whole history of the German Universities, much more of religious controversy than among ourselves, and that most inconceivably bitter, so bitter that we cannot even imagine its bitterness. It expired only, when religion itself almost expired among Theologians, and there reigned stillness, but it was the stillness of a churchyard. It was awakened anew, with the reawakening of religious truth. Controversy about philology has been more bitter and more personal (as would be natural) than about Theology. Nor is there any ground to think that religious controversy would be diminished by the increase of Lay-fellowships. Let a person look where he will, to the House of Commons, the hustings, county meetings, or let him go into society, domestic or other, or read certain newspapers, and he will find, I believe, more religious controversy among the laity than among the Clergy. So long as people are not agreed upon religious truth, and those who are not so agreed, hold religious truth to be of moment, those who hold either side will wish to win others, if they can, to the knowledge of what they believe to be the truth. They must, of necessity, do this, so long as they believe it to be truth. Acrimony is, of course, an evil. The consideration of religious truth is surely not such. But the presence of eminent scientific or literary men, or the diminution of the resident Clergy, will not diminish religious controversy. It did not in the German Universities. Again, in Cambridge it was, thirty years ago, the practice in the most eminent College to give the fellowships solely to intellectual attainment, apart from any other consideration. I recollect its being stated about thirty years ago by a member of that College, that they had shewn their impartiality by electing, on the ground of talent, a Simeonite and an Infidel. Cambridge had, at that time, men of considerable intellectual ability. One man there was, of an inferior College, of no genius, dry in his style, and only of average ability but with great religious earnestness. Science, acuteness, power of mind, did not prevent religious controversy, or the eminent success of the once despised Simeonite. It is now,

allowed probably by some who speak much about the evils of "religious controversy," that there was both onesidedness in that at Cambridge, and yet that religion and the heart gained by it.

Rev. Dr. Pusey.

275. But it is forgotten, or at least not stated, by those who on this ground would make all fellowships equally tenable by laymen or Clergymen, that very few Clergymen have been residents, except those who have been employed in some way in tuition or in the parochial cures of the city. The question, then, really resolves itself into another, in whose hands the education of the future laity and Clergy of the country is to be, in those of the Clergy or of the laity. Very few probably enter Holy Orders, *because* they have been elected Fellows; so few, that they are not to be taken into any account. They are elected Fellows, mostly, because they purpose to receive Holy Orders. And, for the most part, I suppose, those who look to receive Holy Orders are preferred, because it is thought right that the tutors should, in the main, be Clergymen. This has been contemplated during the whole period of our later body of statutes, which provided that all Tutors should give instruction in the Articles. It is recognised, in the Evidence, even by some who are unfavourable to the restriction, that "the existing feeling of the country requires" that the instructors of our youth should be Clergymen. It is, indeed, a characteristic of this country, as contrasted with Protestant Germany, that the education of youth is accounted among us to be a sacred and spiritual office. It is recognised by the whole system of private or public schools, or of private tutors preparatory to the University. The nomination to the head masterships at Rugby and Harrow are, I believe, in the hands of laymen. There is, I believe, a preponderance of laymen among the trustees of the Charter-house, yet none of them have thought it right to make a layman the head master. If laymen did not prefer Clergymen as instructors of their children, so many Clergymen would not be schoolmasters. In this place, it is even more necessary that the educating body should, for the most part, be Clergy; both because the religious instruction is of a more advanced sort, and because here, the great majority of those educated are, and must be, the future Clergy. In Germany all alike, whatever civil office or

Resident Clergy chiefly tutors.

Real question, whether instructors shall be laity or Clergy.

Fellows elected, as future Clergy, not Clergy because Fellows.

Always contemplated that Tutors should be Clergy.

Recognised to be the feeling of the country.

Instances.

Greater necessity at Universities.

More Clergy educated, because education for other

Rev. Dr. Pusey. post or profession they look to, every official of government, every one in every grade of the profession of law or medicine, is *required* to have studied at the University. Among us, not only have barristers and physicians only been for the most part educated at our Universities, but, of late years, the exclusive privileges given by the legal and medical societies have, I believe, been diminished. The number of the Clergy has meanwhile been continually increasing, and the demand for them, more than their number. It is then probable, that even a larger proportion of our students than heretofore will hereafter consist of those intended for holy orders.

professions
not, as in
Germany,
compulsory.

Teaching and
training more
religious.

276. The ground of this preference of the Clergy as Educators has been two-fold : 1. because those who have devoted themselves to that sacred calling are presumed (whatever individual defects there may be) to be likely to *train* the young more religiously than the average of other men ; 2. because all subjects of study may be taught religiously or irreligiously, and it is supposed that persons, pledged as the Clergy are, will, on the whole, *teach* more religiously. Ill would the condition of any Church be, if those to whom our Lord said, "Ye are the salt of the earth," were no more to be depended upon, in the main, than the average of other educated men.

If restriction
removed, no
security.

277. But if the restriction, which requires that the Fellows of Colleges should, for the most part, consist of those in Holy Orders, be removed, there will be no more security that those who educate our young men and future Clergy will be themselves Clergy, than there is at the German Universities. Rather, the supposed ground of preference in the election to Fellowships being pure intellect or knowledge, and the office of tuition being, by this theory, here, as in Germany, made a profession, it will be just as probable, that those who will engage in tuition will be laymen as that they will not. This is, of course, no argument to those who think it matter of indifference in whose hands the University education is ; but it is inconsistent to hold, that it had better be in the hands of the Clergy, or that "the feelings of the country require it," and yet to make all the Fellowships equally tenable by laymen or by Clergy.

278. It should be observed, that the question, so far, is not about the Professors or Assistant Professors. It relates

to the whole body of Fellows, who comprise (with few exceptions of married Fellows, which the Commissioners do not desire to multiplyⁿ) the body of Tutors. But the Tutors, on the other hand, are the main body of resident Fellows. It must be supposed, that if the restriction were taken off, either the Tutors would, for the most part, be in Holy Orders as now, or that more of the Tutors would be laymen. The Commissioners say, "It is probable that even if the rule were abrogated in all the Colleges, the great bulk of the resident teachers in Oxford would, after all, remain clerical." If so, the change would, on their theory, be useless; if, on the other hand, the effect of the change would be to introduce a larger body of lay teachers, the Commissioners do not speak as if they were prepared to recommend it, and it is said in the Evidence that it would be contrary to the general feeling of the country.

Rev. Dr. Pusey.

Commissioners suppose most resident teachers would be Clergy.

279. One immediate effect would be to increase non-resident law-fellows, and consequently to diminish the succession, and the staff of those, whose services were available for the Colleges. I have given instances already. In Christ Church, where students are obliged to vacate their studentships, unless they have a "Faculty studentship," when they are of standing to be among the first twenty, such vacancies are not unfrequent. This is not looked upon as a hardship, because it is known to be the constitution of the College. The studentships are practically, (whether this ought to be so or no,) open to all alike, only that those held by laymen, with those five exceptions, are terminable after some period about 10 or 12 years. But the vacancies almost uniformly take place among lawyers, who in their younger years, as barristers, had the small emolument of the studentship, while studying the law in London, but never rendered, nor were expected to render, any services to the College or the University. The result of the change would be, that such members would continue on, upon the foundation, until they should marry; and so while there were older non-resident laymen and more non-residents altogether, there would be fewer helps for young men at the time when they most need it. This would be a strange way of making the Fellowships more effective to the benefit of the University.

Effect of removal of restriction, to increase non-resident Law-fellows.

ⁿ Report, p. 164-166.

Rev. Dr.
Pusey.

The plan
would either
destroy the
education by
the Clergy
which the
English value,

or it will be
carried on
with difficulty
and embar-
rassment.

280. But while it would in no way conduce to the benefit of the University, it would probably weaken the peculiar character of English instruction, that, being imparted by Clergy, it is more penetrated with religion, and given in a more religious spirit, and the students are more religiously trained. *Now*, the Tutors are either actually in Holy Orders, for the most part, or, if young, they are not intrusted so much with the religious instruction. But if the Fellowships are only to be so many rewards of Academical distinction, with no view to the future office, either all alike, who have attained those distinctions, will be to be appointed Tutors, without reference to their personal character, or every appointment to a Tutorship will be a slur to any talented Fellow who is "passed over." *Now*, the education is left by consent in the hands of the Clergy, because, the tenure of the Fellowship by the layman being only temporary, he does not look to the College as his permanent home. There is no jealousy, no heart-burning. But it would seem a hardship to one who had the same degree of classical knowledge as another, to be passed over, simply because he was a layman. If then the restriction to Holy Orders were removed, either the Clerical character of the education at Oxford would be to be abandoned, and our Universities altogether assimilated to those of Protestant Germany, or the principle would have to be maintained by provisions which would be invidious and painful. The Church and people of England would, I believe, when too late, mourn over the day when the change was introduced.

Changes in
German Uni-
versities.

Office of
Education
taken from
the Clergy

281. Meiners speaks of this change as a fruit of the foreign Reformation: "Through the study of the old literature, the former Bursæ and Colleges, or at least their heaviest chains, were, at many Universities, burst. The taking of the degree of Bachelor and Master by all students was done away; the courses for the students were altered; schools and gymnasia were detached from the Universities, and fixed paid Professorships were introduced into all faculties. The Reformation favoured all these changes, in that it favoured the study of the old literature; whence also the above changes followed more rapidly and in a greater degree in Protestant than in Catholic Universities. *Quite peculiar effects of the Reformation* were

these; that it rent the exclusive education of childhood and youth from the Clergy, and especially from those of the Orders; that in Protestant countries neither Philosophy nor Divinity were taught exclusively by the Clergy, especially not by those of the Orders; that consequently neither science was taught exclusively after the systems of certain Orders and their Teachers." He allows, however, even on this head, that in Protestant Germany, "there soon arose formulæ of faith from which it was as little permitted to depart in teaching Philosophy and Theology, as to the Catholic teachers to depart from the systems of their Orders. Controversy remained for many generations the chief science in German Universities. Heretic-makers and Inquisitors of faith were not rarer in Protestant countries, and thus freedom of teaching and of the press were as unknown in Protestant as in Catholic Universities." Meiners quotes a French writer^p, who speaks of it as a gain, that "Theology and Philosophy ceased to be a monopoly of monks, and were taught by seculars;" and that the seculars "belonging to no ecclesiastical order, could abandon themselves the more freely to the impulse of their genius, and hazard fearlessly novel opinions." The French Revolution, the Empire of "the Goddess of Reason," and the blind and fanatical following of any new meteor-light, to the almost utter destruction of faith among the learned in Germany, were the results of that "hazard." It was "a hazard" in which all was staked, and for the time was lost.

Rev. Dr. Pusey.

even in Divinity.

In new form at first great stiffness.

Then great laxity.

Its fruits.

282. The Commissioners themselves think that some apology^q is due for the 38th Recommendation, by which, having previously proposed to throw down every restriction, appointed by founders or guarded by statutes and custom, (except that of celibacy,) they propose to tie up certain fellowships, in behalf of the new studies which they wish to favour.

Inconsistency of *Recomm. 38.*

283. *Recomm. 38.* "That a certain number of Fellowships should be, for the present at least, appropriated for the encouragement of the new studies introduced into the Academic system."

284. No good can result from this forcing system. It is worse than useless to put a person into a permanent situation, The forcing system of appropriating Fellowships to new studies, bad.

^p Hafner de l'éducation publique, p. 7.

^q Report, p. 172.

Rev. Dr. Pusey. with no definite duties, simply to encourage him, for some degree of proficiency in any branch of knowledge. Unless he have, not simply acquired it, but have a strong preference for it, or inducement to pursue it, he will simply accept the reward, and neglect the study. To a certain extent, the existing foundations, if rightly filled, i. e. with an examination in the science, instead of without it, would furnish such encouragement. If Law fellowships were only given to such as were distinguished in the Law schools, or Medical fellowships to those distinguished in the school of science, there would not be more non-residents than at present ; but those non-residents would have benefited more by the scientific study of the law, or the sciences preparatory to the study of medicine. But to have a fixed fellowship, in any College, which was to be filled up, whenever vacant, with a Medical student, would work as ill as the close fellowships. It would continually happen that the vacancy would not occur in the year when there were the best candidates ; the superior candidates would be passed by, because there was no vacancy ; and the vacancy would be filled by an inferior. This would be still more the case, as to departments, to which fewer of these prizes should be assigned. Professor Vaughan enumerates the heads of the studies to be encouraged, as Classical, Historical, (including, of course, ancient and modern history and jurisprudence, and political economy,) Theological, Philosophical, Mathematical and Physical. The Fellowships appear to be counted upon, as an inexhaustible mine of rewards, but when they should be allotted among all the different claimants, there would either be too few left for the wonted course of general study, or they would probably fall so unequally, that the distribution would be uncertain and capricious. For Professor Vaughan's classes include a large number of individuals ; and the individual studies would not be encouraged, unless Fellowships were allotted, specifically, to them. Sanscrit, e. g. or Arabic, or Anglo-Saxon, or the European languages would not be encouraged unless there were fellowships distinctly for each ; nor again have these any superior claim to Syriac or Armenian ; nor would any of them be encouraged by Fellowships, whose vacancies should occur at distant intervals. Again, in Theology,

Existing foundations would serve in part.

Fixed Fellowships would not secure the best men ;

still less, in studies, where fewest fellowships appropriated.

If Fellowships made rewards for general proficiency, they will not answer wishes of Commissioners.

If for details, encouragement would come uncertainly.

unless every branch of it were made a part of every examination, the study of no one branch would be benefited by the allotment of a Fellowship. As it is, the increase of other Theological studies, of late, has much diminished the study of Hebrew, because it has diminished the leisure of students. If all the studies of any one branch are encouraged voluntarily, the very object of the Commissioners, to encourage eminent proficiency, would be defeated ; if each were encouraged separately, the encouragement would come uncertainly and capriciously.

Rev. Dr.
Pusey.

285. But, in truth, *the* encouragement needed at an early age is encouragement to persevere in diligent study, not a reward for the slight measure of knowledge, which one at that age may have attained. Knowledge, gained only for a certain end, dies with the acquisition of the end for which it is gained. Thus, Sanscrit scholarships here have at times been sought only for the help which they afforded for the University career. Such a knowledge was pursued no longer than the object, for which it was pursued, should require. A person might study Sanscrit with the view of understanding the religious system, as a Missionary or Chaplain in India, (as Dr. Macbride says, some have lately studied Arabic with him, with a view to Missionary labours,) or again a person might learn it to qualify himself for some civil service. It is only, here or there, in some very rare cases, that a person would study it for the sake of the literature of its books, or for comparative philology. But no one would *continue* the study, simply *because* he had gained a fellowship as a reward for his past study. The encouragement to any study is to find that it promotes the end, whatever it is, which any one has in view. A fellowship is not an end. It may be used as an income in pursuing another end ; or it may afford a home to a person, who has some other reason to choose this place for his home, or desires opportunity for study here. If the fellowship is sought as an income only, it would be but employing the resources of this place to enable those who have been educated here to pursue their professions elsewhere, just as the Law fellowships are now. The Fellowship would be chosen as an opportunity for study and improvement, in those cases only, in which the study could be best carried on here.

Fellowships
not good re-
wards for
past dili-
gence, unless
they give
scope for
future.

*Rev. Dr.
Pusey.*

Such appointments only alienate fellowships to inferior ends.

286. But it is admitted that the studies which are proposed for the final examination are but preparatory studies for an ulterior practical study in London. The result, then, of giving fellowships as rewards for the preparatory study, would be simply to alienate them from the service of the University, to aid poor students in carrying on their studies elsewhere.

Fritter away the resources of the University for education.

287. But thus the University would be frittering away the resources which she has received in order to educate the young here. If the education of the University is either to be extended or improved, we need greater subdivision of instruction, and in order to this, an increase of instructors. In whatever way the University should be enlarged, the Fellows are the body, through whom the instruction must be provided. We do not yet know to what degree they may not be called upon.

Increase of studies will require increased teachers, and this will make the opening in a better way.

288. The Commissioners complain, "Candidates for Fellowships, whatever be their proficiency in Mathematics, are never elected on that score, except when the College is in want of a mathematical Tutor." The very complaint implies that Mathematical Tutors are required, and that persons are elected to them, when they are required. There is no question but that the late statute must give an impulse to the studies which are now *required*. As they increase, more will be wanted to teach them. But a College which desires to keep up its staff of teachers of Mathematics, and elects them, as opportunity offered, would secure better Mathematicians, than one which was constrained from time to time to fill up a Mathematical Fellowship. And so with regard to other branches (as Law) in which Tutorial instruction shall be needed. I have no doubt that the end of promoting study will be best promoted by the more practical way of filling up Fellowships as they shall be needed, not by simply electing a certain number of young men, because they had obtained a first class in this or that study, without any further definite object to which to direct their energies; and that the resources of the University will thus be more thoughtfully employed, than by the short-sighted measure of annexing them, with a view to an immediate end, to a certain degree of success in certain studies,

merely to be employed in eking out the father's resources during the early and unrequiting years of a professional course. Rev. Dr. Pusey.

289. RECOMMENDATION 2. There remains yet one other recommendation, which completes the power given to the Professorial body, viz. that which relates to the new-modelled "Congregation." This body, it appears, is to have the *sole* initiative of all measures to be proposed to Convocation, to appoint Delegacies, which should act as committees, to determine the official members of the standing Delegacies, and to appoint all the Professors who are at present elected by Convocation. Proposed "Congregation" to have the *sole* initiative; its other offices.

290. The Hebdomadal Board would still be allowed, *honoris causa*, to remain, to transact any routine business of the University. Its initiative power would simply be that of a standing Committee of Congregation, if it so pleased. It would have the same right to propose measures to the whole body of *Congregation*, as any other members of that Board. The *direct* initiative which the Hebdomadal now has exclusively, of proposing measures to *Convocation*, would be wholly taken away, and transferred to the new Congregation. Hebdomadal Board to have no initiative except in Congregation as one Committee.

291. Such an initiative *within* a body in which they would be but a fraction, falls so very short of the apparent meaning of the words of Recommendation 2, that I thought at first, that there must have been two misprints of *Congregation* for *Convocation* in the statement contained in the body of the Report, which limits their meaning. Statement of Report cleared up.

292. The statement at the close of Recommendation 2, is in these words, "that these changes being made, the Hebdomadal Board should continue to discharge its executive and administrative functions, and should also retain its present right of originating measures."

293. Now the "*present* right of *originating* measures," is a right of originating measures to be proposed directly to Convocation; and so I imagined, together with many other members of Convocation, that the intention of the Commissioners was to recommend that the Hebdomadal Board should not have the *exclusive* right of proposing measures to Convocation. But this is completely excluded by the more explicit state- Its apparent meaning.

Inconsistent with more distinct statements.

Rev. Dr. Pusey. ment in the body of the Report. Although the Commissioners state that “^o The restoration of the legislative body does not, as we propose it, involve the abrogation of any of the existing elements in the constitution of the University,” it is only that they allow the Hebdomadal Board to exist like a deposed sovereign, with an outward show of respect, but deprived of all real power.

294. The statement which thus limits the initiative power of the Hebdomadal Board, is as follows :

295. “^p We are of opinion that it [the Hebdomadal Board] ought to retain the right, though no longer the exclusive right, of initiating measures to be submitted *to Congregation*. This would be very convenient, as regards many regulations of practical importance, which might not otherwise be brought *before Congregation*. Moreover the Hebdomadal Board would naturally be anxious to keep up its influence by anticipating improvements likely to be proposed by members of Congregation; and it would so frame its measures as to secure *their easy passage* through the ordeal of a debate in that body.”

Hebdomadal Board only equal to other members of Congregation.

296. There is then no question that the legislative power which would remain to the Heads of Houses would be precisely the same as that of any other given number of members of Congregation. Their absolute equality is distinctly pointed out by the Commissioners. “The Vice-Chancellor shall call it [Congregation] together for this purpose, whenever propositions, either *emanating from the Hebdomadal Board*, or contained in a requisition signed by a *fixed number of the members* of Congregation, are proposed for discussion.”

297. The only legislative weight then, which the members of the Hebdomadal Board would have, would depend either on their personal qualifications, distinct from their office, or on the relative proportion of their entire number to that of other members of Congregation.

Number of the new board, and so relative power of its parts, not defined.

298. The number of the proposed body, and so the relative power of its component parts, is not distinctly defined by the Commissioners. It is stated to consist of “all Heads of Houses, the Proctors, all Professors and Public Lecturers, together with the Senior Tutors of all Colleges and Halls.”

It does not appear whether it is intended that, if (as is contemplated in Recomm. 10.) new Halls should be founded, their Heads and Senior Tutors should also have a place in it. On the other hand, the future proposed number of Professors is not fixed; that of the Assistant Professors or Lecturers seems to be absolutely indefinite, as Mr. Scott ^q, whom the Commissioners quote with approbation, “speaks of the cooperation of *several lecturers*, under the direction of *one* responsible ordinary lecturer of the faculty;” and the Commissioners themselves speak of “^ran intermediate grade of lecturers, opening prospects of advancement to the Tutors collegiate and private;” “supplying to a great degree the demand which is now supplied by private tutors.” They contemplate that this body will, “if an extension of the University takes place,” be “doubly required, for those students” who shall not be members of Colleges; that they will be employed in giving instructions to “a new class of students, desirous of instruction in the elements of Jurisprudence, Medicine, and of the Physical sciences generally.” They say, “that the establishment of studies more directly subservient to Professional life will add to this necessity.”

*Rev. Dr.
Pusey.*

Professors
not fixed;
Assistant
Professors
indefinitely
numerous.

299. The present number of Professorships is thirty-five, or deducting one which is legally united with the Regius Professorship of Medicine, thirty-four^s. The detailed scheme of the Commissioners upon this subject, (amalgamating the two Arabic Professorships, uniting the Clinical and Aldrichian Professorships, and erecting others,) would amount to thirty-eight or more^t. The Commissioners however say, that “^uThe Professors *and* Public Lecturers ought to be considerably increased in number;” accordingly, not the Lecturers only, but the Professors also. So the Commissioners contemplate that the number of the Professors alone will much exceed their present number. The Sub-Professors are spoken of as many to one Professor. In the nature of things it must be so, if many Law students e. g. are to learn catechetically the elements of Law; and so on. The Sub-Professors are, (according to this

Number of
Professors.

^q Report p. 99.

^r Ibid.

^s Aldrich's Professor of Anatomy. That founded by Mr. Tomlins is not enumerated in the Report.

^t See above, p. 90, note.

^u Report p. 14.

Rev. Dr. Pusey. scheme) to be appointed by the Professors; the Proctors also^x are to be nominated by the new-modelled Congregation, i. e. by the majority. They would no longer be the representatives of the Masters of Arts; but nominees of the majority of Congregation.

Relative numbers of Collegiate and Professorial members;

300. The representatives then of the Collegiate system would be forty-eight; (twenty-four Heads, twenty-four Tutors;) or if the Proctors were counted in, fifty. The Professorial body would, at the very lowest, if there should be but one deputy to each Professor, be seventy-six. If on the average there were two to each, it would be 114, and so on. And this, previous to the "considerable increase" of the Professors contemplated by the Commissioners.

Collegiate two-fifths, Professorial at least three-fifths.

301. The directing body then of the University would, at the lowest, be about 126. The Commissioners say, "Congregation, as thus constituted, would consist of more than 100 members^y." Of this body, the Heads of Colleges and Halls would be one-fifth; the Senior Tutors (if the Vice-Principal, and now mostly the only Tutor, is included among the "*Senior* Tutors") one-fifth; the Professors and their deputies, at the very lowest, about three-fifths. The plan then would be an entire revolution. The Professorial body, while taken at the very lowest, would have a majority of twenty-six over the Collegiate. In any question between the Collegiate and Professorial systems, the Professors, if tolerably united, would have the decision in their own hands. The only hope of the Collegiate system would be in the forbearance or division of the Professorial body, or the resistance of Convocation. If its being depended upon the Congregation, it would exist on sufferance.

Whole power in the hands of Professors, unless Convocation resists

302. "The supervision of the studies" is, by another Recommendation, given exclusively to the Professors; and now, by this regulation, they, with their Assistant Professors whom they would nominate, would form at the lowest three-fifths of the body, which, with increased power, is to succeed the Hebdomadal Board.

Unsatisfactory to Convocation.

303. The majority of residents or of Convocation would, I am satisfied, decidedly object to a plan which should transfer

^x Report, p. 17.

^y Ibid. p. 14.

the preponderance in the initiative body from the Collegiate to the Professorial members. I should trust that few of the Professors would be ambitious enough to desire that their own body should be made the directing body of the University.

304. "It would be well," Professor Vaughan says, as quoted with approval by the Commissioners, "at least to *comprehend* a learned element, such as in many European Universities has the chief if not the only sway." I should trust that Professor Vaughan would not himself wish the belief of Oxford to be in that state in which belief has been in those European Universities where the "learned element" has that "sway." But, although his own plan would, in fact, give to the Professors according to their actual number^a, a majority of two (if the Professor of Music and Lee's Lecturer be included, as they were in the Report^b), I should suppose that when he spoke of *comprehending* the Professors, he did not mean that they should be the largest part of the body in which they were comprehended. Convocation would, it is quite certain, take part with the Collegiate against the Professorial system. Whatever amount of mistrust has already existed between the Hebdomadal Board and Convocation, would be multiplied 500 fold. Every measure which would give prominence to the Professorial system would be suspected and opposed.

305. I have already, under the head of the "supervision of studies," mentioned some reasons why the studies should not be committed to the exclusive control of the Professors. The same grounds hold still more strongly against a plan which would give them a preponderance in the whole direction of the University.

306. The German Universities are no precedent for ours. Their whole theory is different from ours. Professors, supported by the state, constitute the University. The Universities, as far as they have any government apart from the state, can have no government except that of Professors, because they

Rev. Dr. Pusey.

Professors to be comprehended in, not to be the majority.

Grounds against giving supervision of studies exclusively to the Professors, hold still more strongly against giving the whole direction.

German Universities no precedent.

^z The Italics are Professor Vaughan's, (Evidence p. 82.)

^a "A board might be constituted which should consist of all Heads of Houses and Professors, two Proctors and a certain number—say six, Masters." Evid. p. 82. (i. e. Heads 24; Proctors 2; Masters 6; in all 32; Professors 34.

Appendix F. p. 58-60.

Rev. Dr. Pusey. have no other members. The German Universities have dwindled. The Professors themselves are not a fixed body ; they migrate, although in a lesser degree than the students, from one University to another, if a more eligible post is offered to them. It is misplaced to appeal to bodies where there are no Colleges, no independent members, and I believe little legislation, except now and then an ordinance which is not attended to, for authority as to the initiative in a legislative body consisting of above 3000 persons, all of whom probably feel an interest in the University, and where there has long been a strong, living, educating Collegiate system.

Benefits of
an interme-
diate Body
between the
Hebdomadal
Board and
Convocation.

307. Still, some intermediate Body does seem to be needed between the Heads of Houses and Convocation. It is of importance that questions, which interest the whole body, should not come upon it unprepared ; and that, if there should be a difference of opinion upon them, they should not first be debated in so large a body. Hitherto, when members of the Hebdomadal Board have attempted to ascertain the minds of other members of Convocation, it has only been individually. And I believe that members of your Board have been the more deterred from such a plan, finding the opinions of those individuals more or less differing from one another. It could hardly be otherwise, if they did not act in concert. Individuals, if consulted, give in the first instance their own individual impressions. When collected, the one modifies his own opinions by that of others, except when there is some point of principle at issue. The deficit has been, that, in consequence of the disuse of mixed delegacies, the Hebdomadal Board has never gathered any formal or collective opinion of any parties out of their own body, before the measure was sent down, as a whole, for Convocation to accept or reject. If a proposal was good or acceptable in the main, but details were objected to, it had to be debated in the whole body of Convocation. If any part of a measure were thrown out, it was commonly delayed for a term, or two terms, i. e. two-thirds of a year. Thus, the recent Examination-statute was brought before Convocation in March and December 1849, April and May 1850. When the measure is so proposed, there is no room for free conference, or for explanation. From the Hebdomadal Board there simply issues the proposed statute, without any explanation of a

Inconveni-
ences of the
present plan
in important
or complex
questions.

measure, which has occupied them perhaps for months. It has been very rare that any member of their body has given any explanation even in Convocation. Those who are members of Convocation only, may express themselves, as they do, in fly-sheets, or pamphlets, or in a Latin speech in Convocation itself. Still this only expresses the private opinion of the writer or speaker. The only test of the sense of the residents is the numbers on each vote. If any non-residents join in, a doubt may arise or be raised, whether the decision of this particular Convocation represents the meaning either of the resident or non-resident body. For it is open to conjecture that more non-residents might have been gathered on the other side. Sometimes in consequence the vote has been taken anew. But this in itself involves the delay of a term, since the same measure cannot be proposed twice in the same term.

*Rev. Dr.
Pusey.*

308. Again, if a vote be complex, the ground of opposition may be mistaken. Even when the whole statute has been broken up into portions, and the portions have been submitted separately to Convocation, it has happened that the same portion may contain some principle which is approved of, and some detail which is objected to. So then Members of Convocation are obliged to take the detail to which they object, or to seem to vote against the principle of which they approve. And, of those who agree as to both, some vote on the one side, some on the other.

Mistakes incidental to it.

309. To take a case of another sort. Many members of Convocation, resident and non-resident, have, for some years, wished for the extension of the University by means of Halls for real scholars of slender means. The subject has been debated, from time to time, I believe, for some eight years in the Hebdomadal Board; but Convocation had no opportunity of expressing their opinion. They took the opportunity of a vote of 30,000*l.* being proposed for a Museum, which was put before them, without any estimates of the expense, or plans, to express their wish for a Hall. The vote was not against a Museum in itself. It was only intended to express that a Hall for poor but hopeful scholars was, with them, a prior object. There was indeed a report, that one intention of the proposal of *this grant towards* a Museum, at that time,—a grant which would not have sufficed to build it, nor have justified a con-

Indirect voting.

Rev. Dr. Pusey. tract being made, was to preclude the grant for a Hall. However, a decided majority of the Members present voted against the measure, solely because it interfered with what they deemed a more desirable object, upon which the sense of Convocation was not directly taken.

Some past misunderstandings might perhaps have been saved by such a body.

310. I cannot but think that some of the misunderstandings or collisions, which occurred some years past, might have been prevented, had there been some way by which the Hebdomadal Board and the other residents might have better understood one another^c. I suppose that the question of the partial repeal of subscription to the Articles would never have been proposed, had the Hebdomadal Board known how strong the feeling of the majority of residents and of very many non-residents was against it. Yet it was an evil that it was so proposed. It was an evil in itself, that the Hebdomadal Board should be in so decided a minority in Convocation. The proposal of the measure at that time, A. 1834, gave rise to an impression (rightly or wrongly) that the Board was influenced by the pressure of external circumstances; and laid the foundation, I believe, for that mistrust which characterised for some years the relations of the Hebdomadal Board and Convocation. Had there been a better understanding, perhaps the result might have been a definite and authoritative exposition of the meaning of the Undergraduate subscription, instead of a mere rejection of the proposal to abolish it. On the other hand, the revision of the Statutes, which was attempted in 1839, might very possibly have been carried on in a satisfactory manner, had there been more conference. But a part of Convocation received the whole attempt to revise the Statutes with suspicion, because they apprehended that the Hebdomadal Board would, together with what was really obsolete, bring down good Statutes to a lower standard, rather than wait until our standard should rise to the Statutes. The opposition seemed factious, because unexplained; but the attempt to revise the Statutes was hindered. The evil was, that neither party

^c "They [the Hebdomadal Board] complain that Convocation is impracticable. The reason has been mentioned above. Yet perhaps, if the Hebdomadal Board had better means of finding out what was really needed, Convocation would not so often reject their proposals." Mr. Temple, *Evid.* p. 133.

trusted the other, and an unexplained proposal met with an equally unexplained opposition.

Rev. Dr. Pusey.

311. One source of the evil has been, that the Heads of Houses are too much removed from confidential intercourse with other resident members of Convocation. Those in their own Colleges, as Tutors, are relatively in an inferior position. However this was, it seldom happened, I believe, that either the Hebdomadal Board was in possession of the mind of the resident body generally, or they of that of the Hebdomadal Board.

Hebdomadal Board and other residents did not know each other's minds beforehand; hence open collisions.

312. This state of things, which has been, of course, any thing but what could be wished, would, I think, be removed by a plan which has been thought of, the construction of a body which should represent the opinions of the residents. The proposed Congregation would satisfy no one, except some of the Professors. The Collegiate Body would, of course, be dissatisfied at being in so decided a minority. The resident Body would not be really represented even by those who happened to be the senior Tutors of each College or Hall. It might be, that some other Tutor might possess most the confidence of his own College or of others. It would often happen that one College might possess two or more Tutors in whom the residents generally would place more confidence than in the senior Tutors of others.

Value of a body which would represent the opinions of the residents.

313. The Residents, I believe, have for all purposes the confidence of the Non-Resident members of Convocation; so that the judgment of a Body, which should really represent the Residents, would satisfy the Non-Residents. This in itself would remedy a decided inconvenience, arising from the way in which Members of Convocation are dispersed over the whole kingdom. I believe that, in most cases, if the Non-Residents thought the question would really be decided by the Residents, they would prefer to leave it with them. Even in the very last Election for the Registrarship, Non-Residents were heard to express the wish that the Residents could decide these things for themselves. When there has been a division of opinion among the Residents, it has been repeatedly the question, whether the Non-Residents on the opposite side would come up. And as this seemed probable or improbable, other Non-Residents came up or stayed away. Either side would

The Residents, collectively, have the confidence of the Non-Residents.

Non-Residents would mostly prefer leaving the decision with the Residents.

Rev. Dr. Pusey. perhaps have trusted the question to be decided by the Residents, or even have thought it best that it should be so decided. But neither knew what would be done by the other side; nor could the Residents themselves inform the Non-Residents; and so, more or fewer, as it might be, came up on either side. All have felt this to be an evil. The evil would be aggravated now by the very facility of communication; but the root of the evil is, of course, the want of confidential intercourse among the members of the same body.

Proposed body, which might communicate with Hebdomadal Board, and habitually with other residents.

314. This evil, it has been suggested, would be remedied by the formation of a second body, in whom the resident members of Convocation who are not members of the Hebdomadal Board would repose confidence; who would communicate, when need was, with the Hebdomadal Board, and, at the same time, be in daily familiar intercourse (which the Heads of houses from their position are not) with the rest of the resident members of Convocation.

Number equal to that of the heads.

315. The plan, as has been suggested, would be simply this:

"Resident," those in office or who have resided for the four last terms.

i. That there be a body, elected by the resident members of Convocation, (not being members of the Hebdomadal Board,) consisting of a number equal (when the Proctors are added) to that of the Heads of Colleges and Halls.

ii. That the term "Resident," as here used, be taken to mean all members of Convocation, who hold any office within the University (except that of Head), or who, not holding office, shall have resided in the University for twenty-four weeks in the four previous academical terms.

Any resident eligible.

iii. Any member of Convocation, thus "Resident," shall be eligible to be one of the members of this body.

To prepare measures for, and receive them from Hebdomadal Board.

iv. This body shall have the power of preparing any measures, which, when prepared, it shall submit to the Hebdomadal Board, and all measures framed by the Hebdomadal Board shall be communicated to this body.

Then to be proposed to Convocation.

v. These measures, if they receive the sanction of the two bodies, shall then be proposed to Convocation.

Power to make amendments.

vi. Either body shall have the power of remitting such measures to the other, with such amendments as each shall think good.

- vii. If these amendments do not approve themselves to the body which originated the measure ; or if either body reject, as a whole, the measure proposed by the other, the two bodies shall meet as one, (the Vice-Chancellor presiding over the whole,) and any measure which the two bodies, thus acting in one, shall approve, shall be submitted to Convocation.
- viii. Mixed Delegacies shall be formed at any time, at the desire of the Hebdomadal Board, to prepare any measures in common ; such Delegacies consisting of equal numbers of the two bodies, each body appointing its own proportion of the Delegacy.
- ix. Whatever measure shall be framed by such a Delegacy may, by common cosent, be submitted at once to the two bodies united in one, and if accepted, shall be proposed to Convocation.
- x. There remains the question whether those once chosen to be members of this body shall remain members as long as they continue to be residents ; or whether any proportion of the members shall from time to time withdraw, being or not being reeligible ; or whether, again, as in the case of the lower house of Parliament and of Convocation, there shall be a new election of the whole number, all being reeligible.

Rev. Dr. Pusey.
If amendments or whole measure not accepted, the two bodies to unite and majority to decide.

Mixed Delegacies of equal numbers.

Measure devised by Delegacy of both, to be referred at once to both.

Question as to permanence of this body.

316. Practically, I suppose, the body would not much change. Still, especially while it is as yet untried, it would be best, probably, that so important a body should not be absolutely fixed. For the very object of its existence is, that there should be a body, in which the resident Members of Convocation should have confidence. It would, therefore, be desirable that the Residents should, from time to time, have the power of reconsidering, whether they are satisfied with their choice, or whether some of the members of this body might with advantage be replaced by others. Some vacancies there would, in the order of things, be, from members of the body ceasing to reside ; some, by death. The very fact of a re-election would be an occasion for any who, upon any grounds, should find the office burdensome to them, to consider whether they should not retire in order to make way for others, who might discharge it more efficiently. But, practically, persons place

Perhaps best to have re-elections after some such time as five years.

Rev. Dr. Pusey. confidence in those who have experience. The body of Residents would be in continual friendly intercourse with those whom they had elected. Continual interchange of thought would increase the harmony and confidence between them. I should then, myself, think that it would be best that the Body should be elected for some period, such as five years, and that then there should be a new election, all the members of the Body being, as in the House of Commons, capable of being reelected.

Yet safe, if members elected so long as resident.

317. I doubt, however, whether there would be really any risk in electing them permanently, so long as they should be resident. The important interests of the Bank and the East India Company are intrusted to a permanent Body of Directors; and such, I believe, is the case as to other companies. I know not why the University should not have as much confidence in those whom it has itself elected, as the whole nation has had in those elected to be Bank-Directors.

This plan formed on recognised principles.

318. This plan does not appear to have been before the Commissioners. It promises well, that as far as the two relative bodies are concerned, by whom the business of legislation is to be carried on, it is formed on the principles of that which so universally commends itself to Englishmen, the theory of the British Constitution. The British Constitution has both been the growth of the English mind, and itself has reacted upon the mind from which it grew. A plan, conformed (as far as may be) to it, would approve itself to Englishmen, both because they are habituated to its workings, and because there must be something in the plan suitable to our minds, in that it is so deeply rooted, and has lasted so long.

Possible objections.

319. Two objections only, I imagine, could be raised against this plan: i. The evils of elections; ii. The slowness with which it is supposed such a body might act.

Elections not avoided by plan of Commissioners.

320. The Commissioners speak of the evils of "frequent elections." They forget that their own plan involves elections, in that they propose that a Proctor should be elected by the new Congregation every year, and that the Proctors should be members of the Congregation. But, since *their* proposed Congregation would exceed 120, any evils which might be incidental to an election by the 200 resident members of Convocation, would exist in an aggravated form in their plan,

since the Collegiate and Professorial systems would be in close collision, until one should give way.

Rev. Dr. Pusey.

321. In the plan proposed, if the body should be permanent, except any member should cease to be resident, or should de cease, or voluntarily withdraw, the elections which would take place from time to time would not disturb the peace of the University. There is, probably, no place in England, where elections cause so little soreness, or the soreness (if such there be) is so soon healed, as at Oxford. People give each other credit for right motives; the depths are very seldom disturbed; the surface closes together again, and is very soon as calm as before. Even if the plan of an election every five years, or at some fixed time, were adopted, and even if there should from time to time be real elections, (not reelelections only,) any momentary excitement (if such there should be) would be but a slight cost, at which to gain tranquillity for the intervening period.

Elections do not leave soreness at Oxford.

At any rate, a gain on the whole.

322. The Commissioners speak of it^d as a benefit of *their* plan, that it would “dispose Convocation to receive with favour, rather than with suspicion, the propositions sanctioned by the persons more immediately interested in education.” The principle of this statement is precisely what I have said above, that non-residents will, in matters which relate to education, and indeed generally, trust the resident body, if this body be united in itself. But the body which the Commissioners propose would *not*, to the minds either of residents or non-residents, seem to be “the persons more immediately interested in education,” until education (which God forbid) ceased to be Collegiate. The twenty-four Senior Tutors would not necessarily claim the confidence of the Tutorial Body; but a body in which both the Hebdomadal Board and the twenty-four tutors would be merged in a professorial body, would, if forced upon us, be received with the most rooted suspicion, as well as any measure which should emanate from it. In order to gain the confidence of the resident body, that body should have free choice. There is no tendency to undervalue Professors of any science, if Professors do not idolize their own science, or physical science generally, or endeavour to displace the Collegiate system.

Commissioners recognize the value of such a board.

Their own would increase suspicion.

Choice should be unrestricted.

^d Report, p. 15.

*Rev. Dr.
Pusey.*

Better not
to fix rela-
tive numbers
of tutors
within the
body.

The only way
to ensure
confidence.

Not close
fellowships.

If body well
elected, then
it would
practically be
re-elected.

Cases of re-
election after
contests.

Time gained,
not lost by
this plan.

Amendments
in Convoca-
tion unde-
sirable.

323. I should think that on this ground, such a plan as that proposed above would be far preferable to one which should fix the relative proportions of those, (Professors, Tutors, or others,) of whom the body should be composed. The more free the choice, the more entire would be the confidence in the body chosen. At one time, Professors might be eminent, not for knowledge of their particular sciences only, (which would qualify them to be Examiners, not to superintend the practical education of the whole man) but for that sound practical wisdom, which is so striking in well-cultivated Englishmen. At another time, there might be a larger proportion of thoughtful practical minds among the Tutors. The Professors would, for the most part, have the advantage of age, and with it the confidence which is reposed in age. But in order to possess the confidence of the residents, whoever is elected should be elected not because so many places have to be filled up with his faculty or office, (thus introducing again so many close-fellowships into the representative body,) but because the majority of the electing body had confidence in him. If the body were thus elected, I do not think that there would be risk of subsequent distrust. The resident body does not so fluctuate in five years, that it should cease to have confidence in those in whom it had reposed confidence five years before. Practically, I suppose, the body would be re-elected, as the Margaret Professor and Professor of Poetry are now. There is a great unwillingness to give pain. After the very contest about the Poetry Professorship in which the minority felt most aggrieved, regarding the rejection of the one candidate as a party measure, the Professor who was elected was, at the end of five years, re-elected without any thought of opposition.

324. With regard to the supposed loss of time, any plan by which the mind of the residents could be probably ascertained, before a measure were proposed to Convocation, would on the contrary be a great saving of time. The plan of amendments in Convocation is certainly undesirable. Complicated measures are brought before it, the full bearing of whose parts upon one another is, often, not obvious. An amendment would have to be heard, considered, and decided upon, perhaps during half an hour, or immediately upon the close of the Latin speech in which it was recommended. There would be great risk of

amendments inconsistent with other parts of the statute. Any *Rev. Dr.*
 how, amendments so sudden and extempore would be unpre- *Pusey.*
 cedented in any legislative body, much more in a body where
 the decision is at once final. The amendments in either house
 of legislature are proposed and settled in the committee, on a
 previous occasion to that when the measure is finally passed ;
 so that before the house itself passes its measure, it has time
 to re-consider whether it shall pass it in its amended form or
 not. Then there is yet the other house to re-consider it maturely,
 upon repeated occasions. All this re-consideration is in the
 nature of things impossible, when the greater part of the body
 cannot without inconvenience assemble at all, and those who
 come together wish to return as soon as their duty is discharged.
 Such a body can plainly only be called in, as it is now, to affirm
 or reject, upon some broad principle, not to discuss or amend
 details.

325. Yet on this very ground, (as in the recent case of the Yet present
system defec-
tive at best.
 examination) very much time has been lost, in consequence of
 measures being proposed to Convocation by the Hebdomadal
 Board, without any previous notice as to either substance or
 details, except what might be gained from vague rumours, or
 communications of individuals which have mostly discouraged.
 The plan which has been resorted to of late, of proposing mea-
 sures piece-meal, has only in a degree met this difficulty. Al-
 though an improvement on the previous method of proposing a
 statute as a whole, it is in itself, next to that former plan, the
 clumsiest and most circuitous mode of legislation which was per-
 haps ever devised. The result has been, at times, to pass a mea-
 sure by shreds and patches, a head here and a tail there, or a
 principle perhaps without one detail by which it can be carried
 out, leaving the details to be supplied as they may by some
 future legislation. Add to this, that since the Hebdomadal
 Board does not know beforehand what will be the objections
 of members of Convocation, they cannot make these sub-
 divisions minute enough, so that the division should take place
 on the real point at issue. It has thus happened, that different
 members of Convocation have united in opposing a part of
 a measure, whereas each would have conceded the point
 which the other opposed ; and, on the contrary, those who
 were really agreed in principles have voted on opposite sides,

Rev. Dr. Pusey. because some attached most weight to the affirmation of that in which both agreed, the others thought it of most moment to reject a detail to which both objected. Nine months had to elapse between the proposal of the new and of the amended form of the examination statute. Could the sense of the Resident Body have been ascertained through a body which should really have represented it, the measure might have passed in half the time and amid discussion, not with opposition.

326. On the other hand, since the Hebdomadal Board naturally wishes not to have its measures rejected, and yet can only guess what the mind of Convocation may be, it may just as well happen, and, I believe, has happened, that it has held back proposals, or parts of a measure, which would have been accepted by Convocation, but as to which, not being proposed to it, Convocation had no means of expressing its concurrence. So then it might happen, in this mode of legislation, that all parties in Convocation (including the Hebdomadal Board), might be agreed upon some detail, which yet, in this ignorance of each other's minds, might never be ventured upon.

Plan compared with others.

327. Some such plan would have an advantage over any of those which the Commissioners mention, as having been suggested to them^e. 1. The "simple diminution of the mem-

^e I do not see that the plan of the reduction of the numbers of the Hebdomadal Board was recommended by any of those to whose evidence the Commissioners refer. *Mr. Griffiths* of Wadham only says, that "the facilities" of the University "for exercising its power would perhaps be increased if the initiative were vested in a much smaller body than the present Hebdomadal Board," (p. 202), without saying of whom that body should consist. Of the others, *Professor Walker* proposes that "Convocation should have the power of appointing Committees or Delegacies out of its own body for that purpose," i. e. of "moving amendments or bringing in new statutes," (Evid. p. 22); which agrees pretty much with the above, except as to the electing body, which, in the plan I have proposed, is limited to the resident Body; and the Delegacy which I have suggested is a permanent Delegacy. The plan of adding the Professors only, is that of *Mr. Jowett* (p. 31), *Mr. Wilkinson* (p. 73), and *Mr. Cox* (p. 93.) *Mr. Litton* suggests "delegates from the Professorial Body" to be added to the Hebdomadal Board, (p. 175.) *Sir E. Head* said that the Professors ought at least to have an equal voice in the initiative, and then proposed a plan by which, even previously to any increase of their own numbers, they would be about three-fifths of the whole, "5 or 6 Heads of Houses,

bers of the Hebdomadal Board" would be simply useless. *Rev. Dr. Pusey.*
 2. To have "added the Professors only to the existing Board" would have had the same effect as that actually proposed by the Commissioners. It too would have swamped the Collegiate system by the Professorial.

328. There remains the 3rd plan which was suggested to the Commissioners^f, "an entirely new Board, composed of a select number of Heads of Houses, Professors and Tutors." *Plan for Delegates from three bodies.*
 This principle has found much favour among some of the residents, although wholly at issue with the Commissioners as to the proportional weight to be given to the Professorial Body. I do not myself see any one advantage which it would possess over the present plan, while it has some serious and obvious disadvantages.

- i. It produces a great change, by destroying the present Hebdomadal Board. But such an organic change is, in itself, an evil. Mr. Jowett says sensibly: "In reference to the Constitution of the University, I think *Its disadvantages.* *Needless extent of change.*

the Proctors (2), with, say, 6 Masters of Arts elected by Convocation, the Professors, and a certain small number of College Tutors," (p. 160), i. e. at present, 32 Professors, and on the Collegiate side, 13 or 14 + "a small number of College Tutors." *Prof. Vaughan* suggested (as I said), "that the Board should *comprehend* a learned element," and then gave to that learned element, (the Professors,) according to their present numbers, a majority of 2 over all the rest collectively. (p. 82.)

^f *Prof. Price* proposed a House of Congregation in which (as the Collegiate and Professorial bodies at present exist) the Collegiate element would much predominate. He proposed that it should consist of the present Hebdomadal Board, "University Professors and Lecturers, Public Examiners and Masters, the Pro-Proctors, and all College Tutors and Deans." These, he supposed, would be in all above 150; so that the 32 Professors and Lecturers would be about one-fifth only. The Hebdomadal Board he would have to consist of the Vice-Chancellor; 12 chosen by the Heads; the 2 Proctors, and 10 chosen by the Congregation; in all 25. (p. 60.) *Prof. Wall* proposed generally "that the [initiative] body should consist of *delegates* from the Heads of Houses, from the Professors, and from the Public Tutors." (p. 151.) *Mr. Temple*, "a fixed number elected by the whole body out of its 3 component parts." (p. 133.) Mr. T. rejected the plan of "introducing the Professors [as a body] and some delegates from the Masters of Arts," on the ground that the body would be too large to work.

^g Evid. page 31.

*Rev. Dr.
Pusey.*

Abolition of
Hebdomadal
Board as ad-
ministrative,
&c.

Professors
and Tutors ill
employed.

If the one
body small, it
would not
possess con-
fidence.

Heads and
Tutors debate
best apart.

Less contact
with the
whole Resi-
dent Body,

Fixed relative
number may
exclude supe-
rior persons.

the least change likely to be the ⁴best and most effectual." Even in the great change of the Reform Bill of 1830, the organic structure of the Constitution was not changed, and those who made the change stopped short, in some cases, of their own principles.

- ii. Legislation is not the permanent object either of the Hebdomadal Body or of the University. We do not live to legislate. There are many offices, administrative and others, which the present Hebdomadal Board could discharge much better than the new one.
- iii. On this plan of a mixed Hebdomadal Board, Professors and Tutors (who have enough to do already) would be employed in the details of work, for which they are not specially fitted, and which (as I said) could be better done by others.
- iv. If the number selected were small, the concurrence of a mere majority would not give confidence to Convocation, and we should have all the same difficulties which we have already. If it were as large as I have proposed above for the two bodies, i. e. 48, then it would virtually be the same as those two bodies, when meeting in one, (as I have proposed, that when need were, they should,) only without the *power* of debating separately, which it was proposed above to give them.
- v. The classes of which the proposed Body is to consist, would ordinarily deliberate with more freedom and ease apart than together. The Heads of Houses would discuss with greater comfort among themselves, than before the Tutors of their respective Colleges; the Tutors could express themselves more freely by themselves, than before those, towards whom they were in the habitual practice of deference.
- vi. A larger body, in that its members would be more diffused through the different Colleges, could more naturally and easily become acquainted with the feelings of the whole Resident body, and so would be in more complete and visible harmony with it.
- vii. I have already mentioned an objection to a *fixed* number of either class, Professors or Tutors. Some, who were less practically qualified for this office, might be

taken into either class, in order to fill up the fixed number, to the exclusion of others better qualified out of the other. *Rev. Dr. Pusey.*

- viii. In order to secure the confidence of the body of Residents, those who are to represent the Residents ought to be elected by the whole body. But it would entirely destroy the very idea of the Hebdomadal Board, if the Residents were to select the members of Heads of Houses who should sit in the new Hebdomadal Board^h. If, on the other hand, the three Bodies, Heads, Professors, and others, were each to select their own proportion, I do not think that Convocation would trust them more than the present Board. The members of the Hebdomadal Board who should be elected might have the confidence of the majority of that Board; the Professors, perhaps, of the Professors; the Tutors, of the Tutorial Body. And yet neither of the three Bodies might be satisfied with the selection made by the other two; and the representatives of each might form an incongruous, unamalgamating whole, not possessing the confidence of each other, or of the whole body of Residents. For myself, I should prefer the present Board to this.
- ix. Whatever evils are perhaps inseparable from elections are aggravated by the smallness of the electing body. The smaller the body, the more personal (if any) the competition. This plan proposes the election of the component parts of the Board by three different bodies, (omitting those residents who do not belong to either,) and so risks introducing direct rivalry into each of the three. In the plan advocated above, the Hebdomadal Board remaining as it is, there would be only one election by the whole body of residents collectively, of 22 residents in whom it placed most confidence. *Evils of elections aggravated.*
- x. If the new Hebdomadal Board were made to consist of some smaller body, as e.g. of seven representatives of each of the three classes, since these would not command the confidence of the whole body of residents, it *Intermediate Body still needed.*

^h This is Prof. Wall's plan. Prof. Price would leave the selection of the

¹² Heads with the Heads themselves.

*Rev. Dr.
Pusey.*

Hebdomadal
Board ought
to have de-
cided weight.

would still be requisite to have some distinct body, which should prevent the evil of bringing a measure, in the first instance, before Convocation. That body might be the whole body of Residents, about 200; but it would be necessary to have such a bodyⁱ.

- xi. I think that the Hebdomadal Board ought to have a decided weight. Its members ought to be the persons of most experience and of the most solid practical judgment in the University. It is preposterous for Colleges to elect their own Heads, and then not to have confidence in those whom they have elected. If they have not, they themselves are the persons in fault. But the very worst mode of legislation is to legislate on the presumption of the continuance of a defect, instead of correcting the defect, if it exists. We have had in past times very eminent Heads of Colleges, men, from whom the Bishops were, I believe, very commonly chosen. For legislation we need persons of solid practical judgment, which is just the quality which one should look for in the Heads of the Colleges. They *ought* to be the persons of the most mature judgment among the Fellows, and the Fellows *ought* to be the élite of the clerical part of the University, with able laymen united with them.

Plan not
cumbersome.

329. It has been said in objection to the proposed plan, "trace any measure through it." I believe that this plan will stand this test. I think that the Commissioners are right as to the value of a body, possessing the confidence of Convocation, although mistaken in supposing that the body which they propose would possess that confidence. Any loss of time in this preliminary stage would be more than counterbalanced by the great saving of time, in that the measures proposed to Convocation would probably be received at once. So that the time occupied in arranging any measure between these two Houses ought not to be compared with that now occupied in the Hebdomadal Board, but with that occupied by the

ⁱ Prof. Price proposes (above, note ^h) that there should be such a House of Congregation, consisting of above 150. This being three-fourths of the resident body, it would probably be better to include the remainder.

framing and re-framing of its measures, until they are finally accepted piecemeal by Convocation.

Rev. Dr. Pusey.

330. But I have proposed two ways in which the two Boards might act conjointly: i. If they saw good, they might appoint a joint delegacy, and then, after the measure had been framed in common, they might consider it together in common. This need occupy no longer time than the Hebdomadal Board takes already to frame any measure, 1st, by a Committee within itself; 2ndly, by the whole Board. Only when the measure had been finally framed by the bodies acting in one, having passed both the Heads and a body elected by the Residents, it would probably, in most cases, pass at once.

Two modes of acting in it.

331. But, ii. even on the other plan, no long time would be occupied, by remitting a matured plan to another body. The points really at issue in any measure lie mostly in a narrow compass. If the 2nd Body opposed it as a matter of principle, a conference of the two bodies would soon shew on which side the preponderance lay. If it should be a question of details only, the amendments would probably be few and easily arranged. Even in Parliament, we see, that unless a measure be very complex, or the debates be protracted on purpose for some political or other end, amendments do not occupy any disproportionate time.

Amendments would not create much delay.

332. It seemed to me that this pliancy, whereby the two houses should be each a whole in itself, and yet capable of becoming one, whenever the case should require it, would give this plan an advantage over others. It leaves all existing organizations standing, and yet secures all, I believe, which members of the University wish to secure, the means of promoting a good understanding among ourselves, of ascertaining tranquilly each other's minds, and devising, with the concurrence of all, maturely and calmly, what shall seem to be for the good of all who are or may be committed to our care.

333. There are several, and in part conflicting wants to be met. These are, 1. Such a body as the present Hebdomadal Board is, consisting, as it does, of persons, by station and age, of moral weight in the University, to whom the ordinary administration of the affairs of the University should belong. The Commissioners themselves acknowledge this in the abstract, although in effect they pare this power down to the slightest

Conflicting requirements to be met.

*Rev. Dr.
Pusey.*

possible dimensions. ii. An initiative body or bodies which should not clash, but should act in harmony, small enough to devise and originate measures, yet large enough, *bona fide* to represent the residents, and so, as really representing their minds, to have, under all ordinary circumstances, the confidence of Convocation at large. The body which represents the residents must be elective. This is involved in the very idea and name of a "representative" body. It is a body in which a larger whole is virtually "present," through its virtual identity in mind and principle with those who represent it. This then is fatal to the plan of the Commissioners, and any other plan, which would make the initiative body to consist of any fixed classes. Whatever merits any such body might have, *as* an initiative body, it would have no claim in itself, (such as a representative body would have,) to the confidence of the residents or of Convocation generally. And that confidence I believe that it will possess more thoroughly, in proportion as the electing body is larger, within certain compass, and the choice of the electors freer. A mode of election in which the whole body of residents should be the electors would command the confidence of non-residents more than one in which the choice lay with certain classes of residents. A mode of election in which the electors should be free to choose the best men or those in whom they had most confidence, whether Professors or Tutors, or former Professors or Tutors, or Residents who should be neither, without restriction to any particular number of either class, would best secure the permanent confidence of the Residents. This practical principle is acknowledged in every extension of the civil elective franchise.

334. Again as to the size of the initiative body, the division of the whole into two houses seemed to me to provide against the two opposite difficulties, of having a body too large to devise measures, or too small to represent the minds of others. If any smaller body were contemplated, as the body to originate measures, then, I think, that in order to secure the concurrence of the non-resident members, without a continual appeal to them, it would be necessary to have a "Congregation" consisting of the whole body of Residents.

335. I may now, at the close of this range of subjects, mention an impression given to others as well as myself, by this

Report, that it is the desire of the Commissioners to throw the control of the University into the hands, not of the Crown, (although that honoured name is used,) but of the Prime Minister of the day, so that the University should lose its independent character, and become a function of the prevailing political body.

Rev. Dr. Pusey.

above considered, to place the University in the hands of the Prime Minister.

336. The central proposals are the exaltation of the Professoriate in the University, and the placing it virtually in the hands of the Prime Minister. The initiative power is to be transferred from the Hebdomadal Board to a body in which the decided majority is Professorial. Of the Professorial body, eleven are, at present, nominated by the Crown, about one third only; ten by Convocation; nine by others, larger or smaller bodies, or individuals *within the University*; one by the College of Physicians; two by a body in which the Officers of State are but two out of nine. The proposed plan adds to the nominations of the Prime Minister, all which shall hereafter be created in whatever way, whether by the University out of her own funds, or by law out of the Colleges, or which shall in any way be augmented.

337. These, with their sub-Professors, would be the largest part of the proposed Congregation, and to the body, in which the influence of the Prime Minister would be thus predominant, the Commissioners propose to transfer the nomination of the Professors now elected by Convocation, together with the two Professorships of Divinity, which are not already nominated by the Prime Minister. I say "the Prime Minister," because, although the name of the Crown is still employed, it is shewn by the very Report itself^k to be used only as a conventional name, the responsibility being avowed to be—not to the Sovereign but to the people. I have spoken before of the absurdity of committing the nomination of Divinity Professors to a body of Professors and sub-Professors, as such, however far their studies may lie from Theology; but it aggravates this evil, when the majority of that very body will be,

^k The Commissioners quote with approbation the language of Professor Vaughan and Mr. Senior (p. 104), and express themselves in the same way. The same ground is taken by Mr. Wilkinson (Evid. p. 81). Mr. Congreve speaks of the Crown, acting through a Minister of Education responsible to Parliament, p. 153.

Rev. Dr. Pusey. immediately or mediately, the nominees of the Prime Minister. Again, the Professors who are thus to be nominated by the Prime Minister, are to have the sole supervision of the studies of the place. The whole tendency of the Report is to represent the Professorial as the higher instruction at the expense of the Collegiate, and especially that form of Professorial teaching which makes the pupil most dependent upon the Professor. Of the ways of enlarging the University, although they would not discourage any, they see difficulties only in Collegiate extension; and that plan alone finds favour with them, which would introduce a class of students, entirely dependent upon the Professors and independent of the Colleges. The new Congregation, in which the Professors are to have the decided majority, is to succeed the Hebdomadal Board with added powers. Clerical influence seems to be an especial object of their dread. When to this is added the proposed secularization of the Fellowships, I should fear that it would be matter of time only, till Oxford should become, like foreign Universities, a mere place of secular knowledge, and the Church would have to find education for her Clergy elsewhere, as has been done by the Clergy in France. *Quod Deus avertat.*

There are few subjects remaining, upon which I need occupy your time.

338. With regard to the Veto upon the appointment of the Vice-Chancellor, and that exercised by the Proctors, they can, from the very nature of the case, be rarely exercised.

Veto of Convocation on the appointment of the Vice-Chancellor

339. The Veto of Convocation on the appointment of the Vice-Chancellor is, as appears from the Evidence itself¹, a very ancient privilege of the University; and considering that the nomination otherwise is vested absolutely in the hands of an individual, removed from the University (although its Chancellor), and so the more liable to mistake, it seems the more reasonable that Convocation should have, as a last resource, the power of stopping (if there should unhappily be such) a manifestly wrong appointment. It seems strange that,

¹ Mr. Wilkinson (Evid. p. 72) quotes Antony Wood (Annals, 1569.) "He [the Earl of Leicester] took upon him the right of naming the Commissary or Vice-Chancellor, sometimes without the consent of Convocation, rarely or never done in former times."

in these days, the Commissioners should propose to remove a possible check to the use of power, otherwise uncontrolled, and irresponsible and without appeal. All the hereditary aversion to disturb ancient practice, and that strong dislike to give any one pain, (which must in this case be the greater, because the exception would necessarily be so rare,) concur to make it improbable that any unreasonable attempt would be made, or, if made, be successful. The signal defeat which such an attempt, made under strong feeling^m, a few years ago, a defeat which with its effects the more far-sighted foresaw, would effectually discourage any such attempt for the future, unless there should unhappily be any very flagrant case. But we do not habitually think it unsafe to have any check on the use of irresponsible power. The Habeas Corpus act may be abused; yet it is an extreme case when it is suspended. Even then it is not done away with, but suspended, and restored as soon as it is safe. Considering the great importance of the office of the Vice-Chancellor, and that it is held for four years, the risk of an opposition, which, if gratuitous, would only roll back upon those who originated it, is of less account than this risk of any appointment of extreme unfitness.

Rev. Dr. Pusey.

not likely to be used, except in an extreme case.

to have a check to irresponsible power the safer side.

Veto of Proctors.

340. It is singular that while the Commissioners leave the Veto allowed by the Statutes to the Vice-Chancellor, they propose the abolition of that allowed by the same Statutes to the Proctors conjointly. They allow a Veto to one individual, who might exercise it for four years; they propose to take it away in the case where it cannot be used at all, unless two independent persons, independently appointed, shall concur to exercise it, and if they exercise it, could exercise it, at the very longest, only for a year. The Commissioners mention three instances of the employment of this Veto. The first, A. 1825, I do not recollect. Being about a Delegacy only, it was probably unim-

Inconsistency in retaining Veto of the Vice-Chancellor, abolishing that of the Proctors.

Instances adduced by the Commissioners.

^m The ground of the opposition was, that the Head whose appointment was opposed had been an Assessor to the then Vice-Chancellor, when he declined to give me the hearing which I asked for. He did not think himself required by the statutes so to do. I suppose that the opposition was intended as a sort of protest against such condemnations, and to prevent them for the time to come. There was nothing to shew that the Head in question had given any opinion as to this point; and therefore those who engaged in the opposition, exposed themselves to the very charge upon which they grounded it, that of condemning unheard.

Rev. Dr. Pusey. portant. The other two occasions were both important, and in times when very strong feeling was awakened. The Hebdomadal Board, in the one case, after the lapse of a month or two, brought forward again, in compliance with the wish of a large body of members of Convocation, the same measure which had been stopped. The delay interposed served only to shew (what otherwise, in the suddenness of the emergency, would not have been shewn) that the measure was the deliberate judgment of Convocation. In the other case, a measure whose defeat or success would have had very important effects, was brought before Convocation at nine days' notice. No one in the Theatre could even guess what the result would have been. One of the previous measures met with a degree of opposition beyond what was anticipated by its advocates. It was known that the opposition upon this would be much greater. Probably, the majority in a very full theatre would have been small either way.

The one measure deliberately renewed.

Doubtful issue of the other.

Grounds of the Veto of 1845.

341. However, the *ground* of the Veto was *not*, that any one wished to prevent the sense of the University from being taken on the measure, but that it was not thought right, that so important a measure should be suddenly, on nine days' notice, brought before a Convocation, assembled for another purpose, a large proportion of which would, probably, not even know of the measure itself before they assembled in the theatre, and a still larger would have had no time to think of its bearings and effects. I suppose that very few, on either side, had full time to consider the effects of the particular wording, which some of those who would have been affected by it held to be ambiguous, and which, as being ambiguous, would perhaps have affected some of tender consciences who were not aimed at, and not have affected some against whom it was directed. Such at least seemed likely to be the case, as to the measure which had been withdrawn. But in explanation of the Veto itself, it may be said, that had the Hebdomadal Board persevered in the original measure of Dec. 13, 1844, of which they gave full notice, *it is certain that no Veto would have been put upon it.* Yet that measure was in appearance much more stringent, and had the penalty of expulsion from the University annexed to it; whereas the effect of that upon which the Veto was placed was left to people's own consciences. In a notice however put forth on Jan. 23, 1845,

three weeks before the proposed Convocation, and containing arrangements for it, the former measure was withdrawn. Some, whose inducement to come to Oxford would have been to oppose that measure, were satisfied and had determined to stay away. The University then (unintentionally, of course,) was taken by surprise, when a new measure was brought forward on Feb. 4, nine days before the Convocation. *The principle, and the only principle, maintained by the Veto was, that a very grave measure, affecting a considerable number of members of Convocation, ought not to be brought before Convocation on a notice of nine days.*

*Rev. Dr.
Pusey.*

342. The Hebdomadal Board acquiesced, on this occasion, in the act of the Proctors, (for which a number of members of Convocation had publicly expressed their thanks to them), and did not renew the measure. The acquiescence of the Hebdomadal Board on *this* occasion, although they had it in their power to renew their measure unhindered, (as in the former case,) two months afterwards, illustrates the value of this Veto.

*Acquiescence
of the Hebdo-
madal Board
and Univer-
sity.*

343. It is proposed that the Proctors' share in certain of their offices should be taken away. These are, "Nominating Examiners." This does not involve individual judgment, but knowledge of the reputation of the individuals chosen. No one has complained, I believe, of their choice. Convocation has always, as a matter of course, confirmed it. "Adjudging prizes." From this they would doubtless gladly be freed. "Electing certain Professors." This relates to the single appointment of the Professor of Music, of which they, naturally, would often not be judges. "And appointing the Select Preachers." No substitute has been suggested. Yet in the small committee which appoints the preachers, they represent the opinions of the Masters, and being a minority, their opinion can have no effect without the concurrence either of the Vice-Chancellor, or one of the Divinity Professors. The Vice-Chancellor also has the power of putting his Veto in Convocation; and within the last two years, a nomination has, I understood, been stopped by the intended exercise of that Veto.

*Offices of
Proctors pro-
posed to be
taken away.*

Needless.

344. With regard to their own nomination, since their only remaining office, except as to outward order, would be in the Congregation, it is difficult to see on what ground they should

*Nomination
of Proctors
no ground for
giving it to
the Congre-
gation.*

Rev. Dr. Pusey. be nominated by Congregation, except to keep up the power of the majority of that body. The resident Members of Convocation would be more obvious electors.

Promissory
oaths useful.

345. RECOMM. 6. I know not on what ground "Promissory oaths for the performance of academical duties should be abolished." There are temptations, against which their sacredness is a good protection.

Distinction
of ranks no
ground for
abolishing.

346. RECOMM. 7. The distinction between Gentlemen Commoners and Commoners we, as Commoners, used to feel to be rather a protection to us. Gentlemen Commoners lived, as they were wont to do, and as they probably would afterwards, in their homes, and so they were less tempted to break the College rules. The Commoners lived in the simplicity which would probably belong to *their* future life. The mixture of the richer men with the younger sons who are Commoners would, I should fear, rather tempt those who now live more simply, to greater expense, than promote simplicity of living among the wealthier. As far as I had any experience, as an Undergraduate at Christ Church and as a Fellow at Oriel, I saw no evidence that the distinction acted unfavourably; nor do I learn from others who were Gentlemen-Commoners that it was so to them. I think it was good for both. The University distinctions gained at times by those of the highest rank at Christ Church have been beyond all proportion to their numbers. The mere recognition of rank or station cannot injure those who *have* it. It is simply to own a fact in God's Providence.

Wealthier
thus excluded
from competi-
tion for Scho-
larships, &c.
without slur
on them-
selves.

347. The distinction also tends to secure Scholarships, Studentships, Exhibitions, Fellowships in the main to the less wealthy classes. As a general rule, the distinctions open to Gentlemen-Commoners are those to which no permanent emolument is attached, the Classes or the University prizes. It is no disparagement to them not to obtain an Exhibition or Scholarship, or Craven Scholarship (if open), because, as a matter of course, they are not competitors for them. On the other hand, all Commoners are. At least, it would be a very rare exception if any Commoner had any income of his own which would formally exclude him. And, among those who are not formally excluded, it has been thought best in the main that the circumstances of the parent should not be

taken into account. It was thought that more good would be gained by raising the moral value of scholarships, in that they were given according to merit, irrespective of pecuniary circumstances, than would accrue to the poorer students by confining them to their own class. There is a certain degree of waste, when any one who does not need any pecuniary help gains a Scholarship or prize to which any reward in money is attached. The prize will be of the same value to him, with or without the income or money. Still the absence of restriction is supposed to have worked best. The Craven Scholarship (even when it can be opened) is of little estimation, as compared with the Ireland, because "scholars" are excluded from competition in it. At Christ Church both plans were tried with regard to its Exhibitions, and it was found best to regard the fact that a person was entered as a Commoner, as a sufficient test of absence of wealth. Any other plan involves inquiry into the personal circumstances of the Undergraduate. But the more this plan is adopted of throwing open Exhibitions or Scholarships to competition, the more the Exhibitioners or Scholars would become a sort of aristocracy of talent or attainments. And then, if all distinctions of wealth be done away, it would be even hard to exclude the wealthier from competition; and if it were acknowledged they were excluded because they were wealthy, the old distinction would be set up again in a form which would clearly be more objectionable. For since it would not be marked by any outward symbol, the young man would be the more tempted to claim it for himself. It would plainly be a continual temptation to explain that he was not among the aristocracy of attainment, because he was among the aristocracy of wealth. Yet this would involve a continual dwelling on his own circumstances, in his own mind and before others.

348. The only case in which disadvantage might be likely to arise would be in Colleges where there would be but few Gentlemen-Commoners. A distinction which does not injure a large class, may injure a small one. At Christ Church or Oriel, a Gentleman-Commoner is associated with those of his own future position in society. There were at times even more of the aristocracy among the Commoners. Still the distinction expressed the relative position of the future lives of

*Rev. Dr.
Pusey.*

Cases in
which the
distinction
might not
act well

Rev. Dr. Pusey. the two classes. Neither thought of it, except as a fact. It might be different in a smaller College, or where there should be fewer of that class, or the Commoners generally should be of inferior birth. The distinction of being one of very few *might* tempt a young man to conceit; yet probably most who would be so tempted would be conceited otherwise. An outward distinction sometimes rather saves a person from conceit, because he thinks no more of it. The very nice shadings of rank, established in society, tend rather to hinder those who have any rank from thinking about it, on the very ground that it is a settled thing. What is recognised engages the thoughts far less than what is uncertain, and has to be established more or less by the individual. But, in fact, where this distinction would not be likely to work well, it would be or has been felt. Some Colleges, which had but few Gentlemen-Commoners, have ceased to admit them. They are now admitted at five Colleges only and three Halls. Two of the Colleges are, I believe, about to discontinue them. The good sense of those who see the practical working of the system will finally settle the question better than any theory.

will be settled
without inter-
ference.

Disadvantage
of credit.

349. RECOMMENDATION 8.—*Restriction on credit.* Any measure which would really tend to restrain the unlimited credit given to young men, would be desirable. Credit is a disadvantage to both parties. Even large interest does not compensate to the tradesman for the slowness of return, as would appear from the discount of ten per cent. which is common, or even fifteen per cent., which is given by some on immediate payment. To the tradesman immediate payment is, I have understood from some, worth twenty-five per cent., by enabling them to purchase with more advantage from the wholesale dealerⁿ. And so, if he have not quick payment, he is tempted to compensate for the slowness of the return by obtaining increase of orders. This habit of soliciting orders among some tradesmen is one fruitful source of expenditure. Another is the inexperience of many young men

Debt chiefly
begins
through igno-
rance or care-
lessness.

ⁿ Even as to books, I have understood, that *the* great difficulty in reducing their price, the allowance made to the booksellers, 35 per cent., arises from the long credit which they are habitually expected to allow to the purchaser.

as to the value of money, when they come to the University. Debt is commenced generally in ignorance and carelessness, (although, of course, amid want of self-control,) not in recklessness. And debt becomes the parent of other debt. Increased expenditure is the condition upon which the tradesmen consent not to press for payment. When the details of the miseries of the Irish famine in 1847 became known in England, an association was formed among the Undergraduates, to cut off all needless expenditure with a view to remit what they should save, to mitigate its horrors in one of the most desolated districts. It was taken up ardently and resolutely, as young men will, when their better feelings are stirred; it was spreading hopefully and promised well, as promoting the practice of personal self-denial for the relief of suffering. Some tradesmen however heard of it, and, as soon as they knew that any Undergraduate had become a member of the Association, they presented to him their bills which had, as the custom is, been contracted on the common understanding that they were to be paid in the next Michaelmas term. The Undergraduate, if pressed, had no right to give, while his debts were unpaid. But the tradesman had no right to press, *for this end*, for payment of bills, when, in fact, he did not wish them to be paid, but only to be increased. However, they did in effect much hinder the Association. Yet the result was not to obtain the payment, which the tradesmen did not desire, but to do away with the restriction of the expenditure upon self, which it was these tradesmen's wish to prevent, as being contrary to *their* interest. Ordinarily, so much is this vicious custom rooted, it is even difficult for a young man to obtain his bill, since the tradesman fears that it is an indication that he means, at all events, to cease from further orders during that term. The moral hardship of the present state of the law is, that the unconscientious tradesman first tempts the young man to undue expenditure, at prices which are calculated to cover "bad debts," (i. e. prices which, through the immoderate profits from those who do pay, compensate for those who after all do not pay,) and then can, by law, enforce the payment, which involves this immoderate profit. If the law ceases to protect the tradesman, except on certain conditions, and does protect him under those

Rev. Dr.
Pusey.

Increased by
tradesmen.

*Rev. Dr.
Pusey.*

conditions, it will remove one chief temptation to the tradesman to look for immoderate profit, but will leave untouched the *moral* obligation to reimburse the creditor with moderate profit, in whatever way the debt may have been contracted.

Indirect effects of the proposed restriction valuable.

350. The value of the regulation proposed by the Commissioners really lies, not in its legislative enactment, that debts should not be recoverable except notice be given as prescribed, but in its indirect effects, in that it would compel tradesmen to bring to the knowledge of the young men the extent of the debt which they are contracting, and would be a hindrance to the wrong concealment of pecuniary difficulties from the parent. *Now*, the tradesman often at first withholds from the young men the knowledge of the extent of their expenditure, for fear of checking it; and only the more respectable inquire of the parent whether he authorizes it, for fear that the want of confidence implied should indispose the young men from continuing to deal with them.

Debts cannot be really cancelled by law.]

351. The direct legislative enactment would, of course, only extend to any nefarious or directly dishonest dealing on the part of the tradesman. It would not touch the case of even wrong expenditure on the part of the young man, or wrongful temptation to expenditure on the part of the tradesman. The young man, whether of age or no, is old enough to know that it would be a breach of the eighth commandment to obtain things for himself, for which he cannot pay, or, having obtained or received them, not to pay for them. A human law which should prevent the debt from being recoverable by the law of the land, unless certain conditions had been previously complied with, would leave the law of conscience just where it was. It might leave the debtor free to come to a good understanding with his creditors, as to what would really reinstate them with moderate profit. But it could not cancel the debt. "Debts of honour," as they are called, are really "debts of conscience." It is related of Sheridan, that he instantly paid the bill of a tradesman, who destroyed his bill and told him that it was a debt of honour. "Debts of honour" appeal directly to the conscience, because there is no human bar at which the debtor could be arraigned. Sinfulness in contracting the debt does not make the debt less obligatory, when contracted, provided the fulfilment be not sinful. Such a re-

lease from civil obligation as that contemplated by the Commissioners, while it would be a protection against *unjust* demands, would make it the more imperative upon those who have the care or instruction of young men, to impress upon them the moral and religious duty under which they lie, of satisfying *just* demands, i. e. really to reimburse the creditor, even if the expenditure should have been incurred amid extravagance and sin.

Rev. Dr. Pusey.

352. College regulations, which check the soliciting by tradesmen, are frequently a protection to young men. In one College, in which Master Tailors were forbidden to go round to the rooms, there was a considerable diminution of this sort of expenditure. But the increased communication with London renders such rules both less effectual and perhaps a hardship upon the Oxford tradesman, whom they would shut out, whereas the London tradesman may be personally unknown.

College regulations.

353. Altogether, I hope more from increased habits of self-control^o, increase of principle, increased study in its degree, as concentrating the mind on better things, the example of a body of young men, pursuing in earnest simplicity and with success the studies of this place, such as the new plan of Halls might produce, and, I may add, an increased sense of the blessedness of self-denying love for Christ's sake, than from any legislative enactments.

Moral grounds the chief check.

354. Laws as to credit were long a problem at German Universities^p. The most stringent were the most ineffectual.

German laws on credit.

355. RECOMMENDATION II.—*Matriculation Examination.* An examination at Matriculation would, I doubt not, be useful by acting upon the schools. The real hindrance to the solid instruction at the Universities lies in previous neglect, arising, as it mostly does, out of the idleness of boyhood. The standard at the University is too low. Yet not the University but the schools are in fault. The University must adapt both her teaching, and the standard of her ultimate examination, to the amount of knowledge or cultivation with which per-

Low standard of admission

fault of schools.

^o A bookseller once told me that, as a rule, no young man who once left the shop without ordering the book about which he had hesitated, ever bought it.

^p Meiners has a chapter on the history of those "laws of credit" in his fourth vol.

Rev. Dr. Pusey. sons are allowed to become members of it. She must not, in the course of her education, give young men instruction which is beyond *them*. She must not raise her final examination out of proportion to what may fairly be expected to be done in the three years' course. If she admits persons at too low a scale, her final standard must be in conformity with it. Else she would require a strain during those three years, which would act hardly upon many whom she had admitted. This also has, I suppose, been one real ground of the neglect of Professors' lectures, that a considerable proportion of young men have quite enough to do, in what is more useful and more immediately necessary for them. An improved knowledge of Greek and Latin has obviously an importance for any one who hopes to receive Holy Orders, which no study of Natural Sciences can have. For they directly open to him the language of Holy Scripture, or books which may aid him to understand it.

Yet ought to affect the whole system afterwards.

Benefit of preliminary Examination for all.

Standard low at first,

best half year beforehand.

356. At present, I suppose, that all good Colleges have, for their own protection, instituted an examination at the entrance. But this can act but partially. An uniform examination would act upon the schools by setting before school-boys the effect of their idleness. If it were known that idleness at school would be a bar to the very entrance at College, this would be just what school-boys so often want, a *proximate* inducement to exertion. I believe that the examinations already instituted at particular Colleges have acted beneficially. But partial examinations can, of course, act only partially. It would, probably, be necessary, that in the first instance, the standard at entrance should be set lower than it ought to be afterwards, when adequate notice has been given of it. And so the College examinations would have to be continued, else the general examination might rather lower the standard of the best Colleges. The University has a right to require that none should be admitted among her members, who had not reached a given standard. But she has no right to require that those who have satisfied that standard should be admitted to particular Colleges, and so to bring down the standard of all to one level. It might, probably, be even advantageous that the University examination should be placed half a year before the Matriculation, in order not to embarrass particular Colleges by the rejection of those who should have applied for

admission in them, and to give the young men themselves time in which to supply their deficiencies.

*Rev. Dr.
Pusey.*

357. The Colleges now too present to the University those whom they propose to admit among their members. The University Matriculation would be passed, as a matter of course, by the members of those Colleges which have an efficient examination already; and other Colleges might prevent any public rejection of their candidates by presenting none who did not come up to a given standard. In any case, it is, I think, a good suggestion that the Examination should be private, so as to spare, as much as possible, those who are not adequately prepared.

Colleges
should pre-
sent their own
students.

Examination
private.

358. It would be easy, also, to make an exception for cases which would be real exceptions. Professor Donkin^a suggests one in the case of those, who "coming to the University at a *later age* than usual, and, from previous circumstances, without the usual preparation, yet possess abilities and industry enough to prepare themselves for the later examinations within the prescribed time." This exception would not affect most Colleges, since most, I believe, or the best Colleges, do not admit any who have passed the age of twenty-one. But below twenty-one, it would be better for the young man himself to be sent back, to prepare himself better for his College course, than to be admitted to that course when unprepared to derive the full benefit from it.

Exception for
those of a
later age.

359. This requirement to come prepared to College, would act beneficially on the moral habits of the students. If they were to come up better prepared, they would exert themselves more afterwards. One great occasion of idleness is, when young men feel themselves secure of "passing," and yet not grounded enough to gain distinction. Whatever should aid to check idleness at school would help to check the formation of habits destructive to the future man.

Good moral
effects.

360. RECOMMENDATION 20.—Examinations, in which honours are given, would lose great part of their interest by being placed in vacations. The appearance of the Class List is a general subject of interest. As now employed, not to stimulate unhealthily, but as a sort of credential to a number of young men, when setting out in life, it is very useful; and

Examina-
tions to which
distinctions
are attached,
best in term
time.

Rev. Dr. Pusey. any regulation which would diminish its interest would be in the wrong direction. The Commissioners seem to have overlooked this when they rather recommend that the Mathematical Examination^r should take place in the vacation.

Bodleian.
Inconvenience of books being taken out.

Convenience of the present arrangement.

361. RECOMMENDATIONS 22. 23.—*The Bodleian.* Apart from the risk of losing books (of which I understand that the Librarian has spoken) I doubt very much whether the occasional convenience of having books out of the Bodleian at one's own house would at all counterbalance the disadvantage of not being certain of finding a book, to which one wishes to refer, at the very time that one wants it. As it is, in the Bodleian we can have, for seven hours in summer, all the books around us which we want; and if any books are more or less wanted by two persons at once, they can be interchanged without hindrance. But it would often be a very serious hinderance, not to be able to have access to a book at all, because it was out of the library. Residents, also, the less need to take books out of the library, on account of the many valuable College libraries, and the proximity of the Bodleian. I should doubt whether a reading room would not rather be a loss. As it is, the Bodleian is one large reading room, and the permission to inspect the Catalogues oneself, and to take down for oneself the larger books, is a very great saving of time, while the Librarians are always ready to help in any search, in which Dr. Bandinel's knowledge of bibliography is always at hand, and of the very greatest use. I have not much used the British Museum; but as far as I have, I have found the Bodleian beyond comparison more convenient than the reading room of the British Museum.

Restriction as to valuable Libraries necessary.

362. Sir E. Head refers to an Article in the Journal of Education^s in praise of the use made of the Library at Göttingen. Certainly great kindness is shewn to strangers; but the Library at Göttingen is altogether of a different character from the Bodleian. In 1825, it consisted almost entirely of modern books, and whatever accessions it may since have had, it cannot, like the Bodleian, have any large proportion of books, which, if lost, could not be replaced. I rather think that the restrictions in the library of Vienna are the same as those at the Bodleian, and it may be a question how far those restric-

^r Evidence, p. 85.

^s P. 162.

tions have not been founded on the value of the libraries rather than on any other ground. Even with the care taken at the Bodleian, a very valuable Arabic MS. was taken some years ago by an Oriental Professor, of which no second copy is known, and which has only lately been recovered. I believe that the temptation to mutilate books is very considerable.

*Rev. Dr.
Pusey.*

363. Prof. Vaughan suggests that Professors should be allowed to have books at home. Professors might find it an inconvenience as well as a convenience. Niebuhr's statement^t of the value of the restricted system at Rome compared with that at Bonn, confirms my own experience of the value of the Bodleian. At Berlin I could not see a book which I much wished to see, during my residence there, because it was lent out.

*Instances of
foreign libra-
ries.*

364. The Commissioners themselves recommend that books on Physical Science should be transferred to the Radcliffe. But books on Physical Science are also books of reference, and it might at times be inconvenient to the general or Theological student to have all the books on Physical Science removed from the Bodleian. To mention nothing further, Physical Science is of use for the understanding of some details in Holy Scripture. An ignorant natural science has been used against Holy Scripture, as in the plagues of Egypt. The Abbé Guénée used Natural Science to expose Voltaire. But, more broadly, it is altogether an anomaly to take a whole department away from a great library. There are, also, Hebrew and Arabic MSS. which are said to have their use, even as to medicine. Yet to understand these, other MSS. in the Bodleian will be a help. All knowledge is interwoven together; and it would be altogether unphilosophical to detach the books of one class of science from the rest. Again, every student knows that the information which he wants upon any particular subject is to be found up and down in all variety of books. He could not pursue his subject thoroughly by aid of such books only as were written directly upon that subject. Good travels, e. g. throw light upon Physical Science; but they also throw light upon antiquities and other subjects. Even the one object then of collecting together all the books which treat of Physical Science could not be attained.

*Transfer of
books on
Physical
Science to
the Radcliffe
unadvisable.*

^t Report p. 117.

*Rev. Dr.
Pusey.*

Could the
Radcliffe be
actually join-
ed to the
Bodleian ?

365. To transfer the books of the Bodleian on Physical Science to the Radcliffe, would also be to transfer the greater to the less. The Radcliffe, at present, does not seem to be arranged for a large library. It might, I suppose, be a question whether it could contain all the books, if they *were* transferred, and, still more, whether it would have room for future accessions. It would perhaps be practicable, by a covered way, actually to join the Radcliffe to the Bodleian, without any disfigurement. The greater part of the School Quadrangle is already occupied by the Bodleian, so that they could easily be united, if it were no dis-sight.

366. Dr. Greenhill mentions a Collection^u of Persian, Arabic, and Sanscrit MSS. which might be exchanged with the Bodleian. As to the Persian and Sanscrit I am no judge. The Arabic I examined with a view to a Catalogue, when engaged in editing that of Dr. Nicoll. There were several collections of poetry which were not in the Bodleian; else there was nothing, I think, of any account.

A small libra-
ry specially
formed for
Undergra-
duates, the
most useful
plan for
them.

367. The value of such libraries as the Bodleian, or even the College libraries, to the Undergraduate is very much over-rated. The Undergraduate Student does not, ordinarily, want books of research. The books which he uses most he ought to have of his own. It is almost essential for a student to be able to mark his books for himself. Other books which the poorer student might not be able to procure, as classics with fuller notes, books on antiquities, &c. could be much better provided for him by a student's library on the plan of Darling's Theological Library, on a smaller scale, or such as, I understand, the students belonging to "the Union" have formed for themselves. I understand that at Colleges where the Undergraduates are allowed to take books out of the College library, the privilege is used to a very slight extent.

Conclusion.

368. I have now, I fear, taxed your attention more than I could have wished; but the greatness of the main subject will, I am sure, excuse it in your eyes. If you in some respects should differ from what I have said, you do not become responsible for it by allowing me to express my meaning to you. But I know that you will think with me, in the main, that this

^u P. 229.

is a great crisis for Oxford, and that upon what she does now, depends her future importance for good, or (God forbid it) for evil. You will think with me, that the problem of Oxford is not to furnish a mere stimulant for intellectual study, but so to impart knowledge and to discipline the mind, as to form (by God's grace) Christian men. She has to recover the ground which she has lost by letting the education of the country so slip out of her hands; to train the youth of the land so that they shall be "qualified to serve God," as we pray, "in Church and State," soundly, solidly, religiously. But this, I am convinced, may be better attained by steady progress, than by any sudden, hurried, sweeping, revolutionary changes.

*Rev. Dr.
Pusey.*

369. A thoughtful person (afterwards the first Professor of Moral Philosophy) said to me in 1825, when much was spoken around us of "the march of intellect:" "People may say what they please, but no place has so solidly and steadily improved as Oxford." What was then dawning has since brightened, though very far from mid-day still.

370. It is right that Oxford should embrace all who will come to her to be educated in her way; it is right that she should enlarge her studies, by taking in, in their order and degree, those parts of study which can be combined with her system, and which may help to expand, cultivate, strengthen, consolidate, and, if rightly used, elevate the mind. It is well that she should help the student even to lay a solid foundation for his future special study. Only let it be really solid, and above all, under the control of a firm, unwavering faith, to the glory of God. It will yet be well with Oxford, if she forget not her own motto, "*Dominus illuminatio mea.*"

Believe me,

My dear Mr. Vice-Chancellor,

Your's affectionately,

E. B. PUSEY.

*From the Rev. Osborne Gordon, B. D. Censor of
Christ Church.*

DEAR MR. VICE-CHANCELLOR,

Recommendation I.

I AM unable to give any opinion on the question whether the University has exceeded its powers in altering the Laudian Code; but if there is any doubt on the subject, it would be prudent to receive an indemnification, and also, as I think, to take authority, within limits, to make, abrogate, or alter Statutes for the future.

*Rev. O.
Gordon.*

II.

The Constitution of the University is a subject which I approach with considerable diffidence. Indeed it is only because it is forced upon me by the circumstances of the University, that I venture to offer any remarks or suggestions upon it. As however a scheme is before us on the authority of Her Majesty's Commissioners, I have felt it my duty to give it my best consideration, and make my report accordingly. I regret to say that the opinion I have formed is any thing but favourable to the proposition of the Commissioners; and this extends not simply to matters of detail, (as, e. g. that it gives exactly the same influence to the largest College and the smallest Hall,) but to the entire conception of the plan. Let me call your attention to the Constitution of the new Congregation. It will consist of

Heads of Houses..... 24

Senior Tutors 24

Proctors 2

Professors and Lecturers 51 at least;

for it is expressly said that "Congregation as thus constituted will consist of more than a hundred members," and that "the Professors and Public Lecturers ought to be considerably

Rev. O. Gordon. increased." It may be doubted whether so numerous a body as this could discharge efficiently the duties that would devolve upon it ; but a more serious objection to it lies in the fact that not a single member would owe his position or be responsible to the University at large. The Heads are appointed by their respective societies, the Crown, or the Chancellor. The Tutors by the Heads. The Professors, many of them by the Crown, some by certain electors, the rest, with the Proctors, by Congregation itself, and the Lecturers, as proposed, by Boards of Professors. Every member therefore will be either the nominee of an authority distinct from if not external to the University in its corporate character, or elected by the body itself to which he will belong ; the principle of an elective representation, which is generally considered of some value in the management of English affairs, being absolutely ignored. I venture to suggest that such a body invested with such powers, so far from being an improvement on the present state of things, would be likely to combine all the defects of the Hebdomadal Board with others peculiarly its own. But it is proposed to continue the Hebdomadal Board also, in the concurrent exercise of its present functions. I am unable to discern the advantages of this arrangement ; on the contrary I cannot help thinking that the existence of two initiative bodies, one of which would be a constituent element in the other—standing too in extremely awkward and ill-defined relations to each other—would be more likely than any thing else in the world to complicate the difficulties and impede the action of the University.

On these grounds therefore I am compelled to withhold my assent from the plan of the Commissioners. At the same time I am deeply convinced that a change is wanted in the Constitution of the University, or to speak more definitely, in the relations between Convocation and the Hebdomadal Board. It is notorious that as there is a difficulty in getting the last to move, so when it does move, its actions are looked upon with suspicion of the first. There is in fact a kind of alienation between the two ; I think the extent of it exaggerated, and thereby perhaps widened, but it certainly exists, and while it does so, is the cause of infinite harm and scandal. I say this the more freely, because I am sure this is not the fault of the

Heads of Houses personally, but of the isolated position in which they are placed. It would be hard perhaps for any twenty-four men permanently appointed to fill their places with satisfaction to the University; but this difficulty is infinitely enhanced in their case by the difference of their social habits, age, and position as compared with others. Still I am convinced no violent measures or great organic changes are required to establish good terms and harmonious cooperation, though it may have come to the knowledge of the Committee that some, which they may consider such, are now under consideration. It has been proposed, for instance, to substitute a new Board consisting of Heads of Houses, Professors, and other members of Convocation in certain proportions, for the present Hebdomadal Board. I should be sorry to see this done, and I object particularly to giving the Professors or Tutors any official power or privilege beyond what the judgment of the whole University may concede to the merits of the individual. I see no reason whatever to doubt that an active Professor would have due influence in the right time and place; and it is because I have no jealousy of Professors myself, and should not wish them to be exposed to it from others, that I would rather see them owe a prominent place in the councils of the University to the free choice of its members, than to the official privileges of their class.

*Rev. O.
Gordon.*

To return however to the point. Two ways of amending our Constitution suggest themselves to my mind. The first by establishing a Delegacy of Convocation to send up measures to the Board; by creating in fact a new initiative Body, in addition to the present Hebdomadal Board,—the second and more simple one, by introducing an adequate representation of Convocation into the Board itself. The simplest mode of doing this would be by Delegates elected freely out of the whole body of Convocation, and, as I would advise, annually each name being submitted individually to its approbation. A large number would not be necessary, for I should indeed despair of our prospects, if I thought either that the Masters would wish to swamp the votes of the Heads of Houses, or that the Heads of Houses would form a party to resist the views of the Masters. I do not believe that any such result need be apprehended. My scheme is formed on the hypothesis that both

Rev. O. Gordon. parties wish cordially to act together, and are simply prevented from doing so by the want of a proper medium of communication, and I think my experience of the Hebdomadal Board when I had the honour of belonging to it justifies this hypothesis. I had never to complain that the opinion of the Proctor, especially when he professed to speak the sentiments of the Masters as far as he knew them, failed to meet with due consideration ; and I feel sure that the authority of six delegates, or even of a smaller number, sent there in that capacity, would be found effective to secure all the influence that is wanted in the deliberations of the Board. And I think it a strong argument in favour of this view that it would leave intact the powers of Convocation ; which, after all, is the true representative of the University, or, to speak more accurately, the University itself ; but which it seems to be a main object of the Commissioners to depress and ignore. I have myself a decided opinion of the fitness of Convocation to consider any question or transact any business relating to the University ; I cannot see that it fails ultimately in its duty even in the election of Professors and other officers, though I am fully sensible of the inconvenience of the present mode of arriving at its decision ; and I think this fitness might be expected to become more apparent in proportion to the extension of its responsibilities and the importance of the matters submitted to its control. So large a body certainly is somewhat difficult to manage ; but difficulties and possibilities of failure are inherent in every thing, and in this case I feel no doubt that they could be got over by prudent arrangements and established rules of action.

All persons are agreed that nothing could be less desirable than to make over the Convocation-house to a general debating society ; I would suggest therefore that any measure, after having passed the improved Hebdomadal Board, should be offered in the first instance simply for acceptance or rejection, by being read a first time ; that it should then, if desired by a majority of Convocation, as ascertained by a division, be submitted to a committee for reconsideration and amendment, and in its amended state pass into law by the suffrages of the whole House, without any further alteration. The nomination of the Committee might safely be left in the hands of the Vice-Chancellor ; who, on the supposition of that fair-

ness and equity which I believe exists in the University, would be careful to include in it those members who were known to take an interest in the matter, or to be most competent to give advice upon it. Or if this supposition appear somewhat chimerical, the names of the members of the Committee might be submitted individually to the approbation of the House; and as a further security it might be enacted, that no member of the Hebdomadal Board should be eligible to serve upon it. But whatever the constitution of the Committee, there will be no necessity for carrying on the affairs of Convocation in English, which I am sure would lead to great loss of time, and in a constituency whose members live together in constant social intercourse does not seem to be called for.

This is my idea of a working constitution for the University. It may appear to some a very trifling and to others a very considerable departure from our present mode of procedure; and, as I said at the outset, I offer it with great diffidence and hesitation. It has at least the merit of being based on English principles; and if I am at all near the truth in supposing that the Hebdomadal Board was originally constituted as a kind of perpetual Delegacy, to do the work of special Delegacies appointed for particular objects from time to time, I am not departing from the tradition of the University, by suggesting such an addition to its elements, as will give force to its councils, and bring it into harmony with the whole body—an end which, whatever persons may think of the means suggested, all will allow in itself to be desirable and necessary.

Viewing the subject in this light, I should not think it necessary to propose to exclude any of the Heads of Houses from the initiative Board, though this has been thought of. The Principals of Halls do not certainly occupy the same position as Heads of Colleges; but they are likely, from the mode of their appointment, to be valuable men, and they represent the Chancellor, and through him a large portion of Convocation. If it is worth while to make so small an alteration, I will only suggest that the one Head who is the nominee of a College, and which therefore enjoys the privilege of a double representation in the Board, may in future be omitted.

Rev. O. Gordon. This however is a matter of very small importance; and if it should be thought disrespectful to the society interested, I should be sorry to insist upon it.

III.

This Recommendation is wise and reasonable as far as relates to the Standing Delegacies entrusted with executive functions; but what I have said before may have led you to expect that I should not approve of a perpetual standing Delegacy of Professors for the supervision of studies. The Professors will have their influence without any such formal organization or invidious distinction; and it is too much to suppose that they will comprise all the talent and learning of the University. Indeed in any one particular department of science or literature it is quite conceivable that there may be some one superior to the Professor himself, and waiting to succeed him; and it would be most injurious to the University that such a person should be precluded from taking a seat at its council-board till the longevity of his predecessor (for which annuities are notorious) should be exhausted. Of the distribution of Professors into Boards I shall say more hereafter.

IV.

I think it well that the Vice-Chancellor should be nominated absolutely by the Chancellor—who is himself elected by Convocation—and I should be glad to see any passage in the Laudian Statutes which seems to give Convocation a veto on the appointment, removed from the Statute Book.

V.

Having been Proctor myself for six months I should not advise the extension of the period of office to two years. I think the annual change decidedly beneficial, but I would suggest that the new officers might advantageously enter upon their duties at the beginning instead of the end of the Easter vacation. I consider the cycle of King Charles I. a great convenience—though I should have no objection to its modification in favour of certain Colleges which at present hardly have their due. I would retain the inferior limitation of standing, but not the superior. I would relieve the Proctors

of the duty of adjudging prizes, but preserve all their other rights, especially the power of veto, which has been very rarely exercised, and, as far as my memory goes back, wisely and judiciously in both cases.

*Rev. O.
Gordon.*

VI.

This opens a very wide question ; I mean as to whether promissory oaths for the performance of any duties are desirable. I think it unnecessary to enter into this discussion ; only so long as these oaths are required elsewhere and in other cases, I am unable to discern the principle on which they should be prohibited as regards Academical duties ; as while those duties are certainly of considerable importance, it would be invidious to suppose that the parties on whom they devolve are more to be trusted than other men, from whom security is generally taken in that form.

VII.

The grounds on which these distinctions rest have not I think been fully considered ; though I observe that several of the distinguished individuals who have given evidence are in favour of retaining them, and that no question appears to have been raised on the subject by the Commissioners of the sister University.

For myself I would defend them on the broad ground that where wide differences of circumstances and social position exist, it is wise to recognise them ; and, referring to ourselves particularly, where the general rate of charges is upon an eleemosynary scale, a distinction ought to be made between the richer and poorer members. When I say that the general rate of charges is upon an eleemosynary scale, I mean that the charges would be higher if there were no foundations. Men could not have the rooms they have, for instance, at from three to sixteen guineas a year, (which last are the best in Christ Church,) if they had to be built now as an investment, nor could they be provided with Tuition at the rate of 12*l.* or 15*l.* per annum, if the Tutors were not already in receipt of some income from another source.

I have now before me the scale of charges for tuition at King's College, which I refer to, not because I think them

Rev. O. Gordon. unreasonably high, but simply in illustration of what I have asserted.

The charge in the Theological department from 8*l.* 8*s.* to 12*l.* 12*s.* per term, the average being 10*l.* 10*s.*, and the terms three in the year. In General Literature and Science 9*l.* 14*s.* per term. For particular subjects, e. g. Classical Literature, 10*l.* 10*s.* per annum. Mathematics also 10*l.* 10*s.* For this last we have in Christ Church 8*l.* 8*s.* for three years. The charges for the applied sciences are too complicated for comparison, but are on the same scale. In the Medical department the fees amount to 6*l.* 10*s.* for the whole course, falling, as it appears, within the year. In the school the charge for instruction is 6*l.* 15*s.* 2*d.* per term, and all fees payable in advance. And it should be remembered here that King's College is not entirely destitute of foundation, though I am not aware of its amount. The charge for instruction at the Theological Colleges at Wells and Chichester is I believe 3*l.* 10*s.*, and at Westminster School, which has peculiar advantages, 25*l.* per annum for boys not on the foundation. I might refer to many other institutions; but what I have stated is enough to prove that our foundations enable us to supply instruction, and that it is supplied at a lower charge than could otherwise be done, and that the undergraduates generally derive an appreciable pecuniary advantage from them. And so Mr. Cox, late Vice-Principal of St. Mary Hall, estimates^a "the *necessary* expences of an undergraduate at a Hall," which has no endowment beyond its building, "at 25 per cent. above the average of those at a College;" and it is a remarkable fact that a gentleman of great experience, who is disposed otherwise to cut down the cost of living to a minimum^b, and considers 6 oz. of meat and half a pint of beer at 9*d.* a gallon an adequate allowance for an undergraduate's dinner, is much more liberal in his ideas of intellectual provender, and actually proposes to raise the charge for Tuition to 22*l.* 8*s.* per annum.

I have taken tuition as a type and specimen of Collegiate charges generally; and not because I would wish to see it raised. On the contrary, I rejoice that it is so low, and should like to see it made lower still, or, if possible, gratuitous for the

^a Evidence, p. 94.

^b Evidence, p. 145.

benefit of the poor ; but I think a distinction should be made between those who are legitimate objects of the benefits derived in this way from our foundations, and those who are in a position to dispense with such assistance ; and I only regret that this distinction is not carried out further, and more rigorously insisted on, as it might be, to the great advantage of the needy.

*Rev. O.
Gordon.*

If what I have said justifies a difference in the scale of Collegiate charges, it will also go far to justify an external recognition of that difference, by a division into higher and lower orders in the College. I cannot perceive that this division operates injuriously to any one. On the contrary, I think it a protection to the poor and no temptation to the rich, though undoubtedly some are injured by the possession of money which they do not know how to spend. Their money however would be spent in any case ; and the real danger is in the power which that gives them, not in any difference of their position here. I have indeed heard it spoken of as absurd, that youths who have lived together on terms of perfect equality at a public school, should find a line of any sort drawn between them when they come up here. But in the first place, such a line does not interfere with the freest social intercourse ; and is, I think, of positive utility to those who, under widely different circumstances, have hitherto lived under the common restraints of a school, and are now emerging into a state of comparative independence, and subjected to the force of examples which they cannot set aside without a kind of shame, however false, or follow without ruin. In the second place, it should be borne in mind, that many youths come up to College who have never been at a great public school, and whose friends could not have afforded to send them to one (for our great schools are more expensive than our Colleges), who have hardly got them educated at a local grammar school, and support them here with much self-denial on their own part, and perhaps the aid of an exhibition ; and I do think it would be a vain and impractical striving after equality that would lead us to ignore these facts, and place youths so circumstanced in the same position with the sons of the richest noblemen or gentry of the land.

I am not therefore in favour of doing away with these distinc-

*Rev. O.
Gordon.*

tions, which are moreover I think in harmony with the general spirit of English society and institutions; but I have always done all in my power to prevent the names by which the higher orders are designated from being associated with any idea of immunity from duty, or concessions to idleness and self-indulgence.

At the same time it is very possible that such distinctions may be inexpedient in a small College, however defensible in principle; and I have no wish to recommend them to any society which disapproves of them, or condemn any that has discarded them. I speak mainly with reference to the House of which I am a member—and with individual cases before my mind which I conceive would make palpable to any one the absurdity of putting men on exactly the same footing, who have no one social circumstance in common, except that they are living within the same walls.

While however I am dealing with this subject, I may recommend that the distinctions of grand and petty Compounder, &c. should be entirely abolished. I believe they are a positive loss to the University, by preventing men from taking their degrees; while it is notorious that in many cases the burden of them does not fall upon the rich, but upon those who happen to have a small independence, and are little able to bear it. The difference of fees upon Matriculation does not stand upon the same ground exactly; but it is of such an arbitrary character, and operates so unfairly, that it would be wise for the University to forego any advantage it derives from its existence.

There is one more point to allude to in connexion with this part of the Recommendations. I refer to the privileges enjoyed by certain persons, of passing their examinations and taking their degrees before the usual time. I have heard it asked, If the usual period is not too long, why shorten it for favoured parties? and if three years is long enough for any, why require four? Arguments put into that form look neat upon paper, but in practical questions may generally be discarded; and for my part, I see no inconsistency whatever in requiring four years for a B.A. degree as a general rule, and at the same time allowing exceptions, in particular cases; which are merely permissive, which can be limited by the re-

gulations of Colleges, and disallowed by any College, which are rarely taken advantage of, and not without good reason, to the great convenience of the party himself, and to the injury of no one else.

*Rev. O.
Gordon.*

VIII.

The subject of debt and extravagance has frequently occupied my thoughts, and after maturely weighing various expedients suggested from time to time, the conclusion to which I have generally been brought is, “His vitiis intra animum mendendum est.” The only practical suggestions I can offer are—that tutors should keep a careful eye on their pupils, that parents should be more strict in calling their sons to account, that as many articles as possible should be included in the college bills, and that tradesmen of all sorts canvassing for orders should be kept out of the walls. At the same time I have had experience, that nothing of this sort will prevent a man getting into debt to any amount, if he is so disposed. I very much doubt whether the Legislature could be induced to grant the powers which the Commissioners propose; nor do I quite understand whether it is intended that they should apply to all tradesmen, or only to those resident in the Universities. If the latter, they would simply have the effect of driving the trade to London; and if the former, it might certainly be urged, that there is no reason why an Oxford undergraduate should be supposed to have less prudence and discretion, or to require more protection, than any other youth, e. g. a cadet in the army, of the same age. At the same time I am far from saying, that something like the regulations proposed by the Commissioners, if we had power to enforce them, might not prove of considerable value; but I have a bad opinion of sumptuary laws in general, and think they only have the effect of showing “quibus vitiis impar sis.”

IX.

As far as I am competent to judge, I highly approve of this suggestion.

X.

This is a proposition for the extension of the University, and as it suggests four modes of doing so, I must notice each of them somewhat in detail, premising that from the sense I

Rev. O. Gordon. entertain of the desirableness of the end proposed, and distrust of my own judgment upon the means, I should be disposed to acquiesce in plans to which I feel considerable objection, out of deference to the opinions of others, who think better of them.

I presume the first of the plans proposed by the Commissioners is not intended to be the same as the last, though from the inaccuracy of the expressions used it appears to be so. "That the provision of the Statutes, by which all members of the University are obliged to belong to some College or Hall, &c. &c. be annulled," seems to be identical in effect with, "that liberty be given for the extension of the University, by permitting members of the University, under due superintendence, to live in private lodgings, without connexion with a College or Hall;" for if they do not belong to a College or Hall, it would seem to be superfluous to give them permission to live out of it. But I conceive that in the latter clause the Commissioners intended to speak, not of members of the University at large as in the former clause, but of members of Halls and Colleges residing out of the societies to which they may happen to belong. We have then before us four conditions of University Extension :

- i. "By admitting members of the University without obliging them to belong to a Hall or College.
- ii. "By allowing establishments in connexion with existing Societies outside the gates.
- iii. "By the foundation of new Halls, not in connexion with existing Societies.
- iv. "By permitting members of Colleges and Halls to live in private lodgings."

The first plan is proposed mainly with the idea of bringing a poorer class of students within the range of an University education ; and it is therefore a cause of great regret to me, that, sympathizing as I do entirely with the end proposed by the Commissioners, the mode that finds most favour in their eyes, finds least in mine. They contend^a, "The strongest reason by far, for allowing students to become members of the University, without becoming members of a College or Hall, is, that by this means alone could a University education be

^a Report, p. 46.

made accessible to a class much poorer than that which at present resorts to Oxford." A conviction that such are the only means by which an end so desirable may be attained, is the only thing that could reconcile me to so entire a departure from the collegiate system. "I think of the bag of meal," to use the words of a gentleman of the highest rank and character, "which many a poor Scotch lad has brought with him to Edinburgh and lived upon in a garret, having all the advantages of education with the noble and wealthy, and without detriment, that I ever heard of, to character or discipline." I think of such cases too, and we are reminded by the Report^b, that "an honoured name still remains in the memory of Oxford men, which was borne by one who came up to the University with a knapsack on his back." True; but he came up to a College, and lived there for some time, and I have never heard that it was any expence connected with a residence in College, and which would have been avoided if he had been a free scholar in the University, that deprived the University of having the honour of his name among her graduates.

*Rev. O.
Gordon.*

The Commissioners conceive, or, I will say, prove^c, that a youth may live in Oxford twenty-six weeks in the year for 24*l.*, allowing 10*l.* 8*s.* for lodging, which is more than three times as much as a servitor pays in Christ Church. Granting this to be possible, I still think he would be in anything but an agreeable position. He would have to pay 60*l.*^d for instruction, and, as I think, more; inasmuch as having no college lectures, he would be wholly dependent on his Tutor, who must be paid for his time accordingly; and from want of previous advantages, which may be presumed from his circumstances, he would be less qualified than the average to derive benefit from the foreshadowed Professorial teaching. But I should regard his social position with deep commiseration. I should not think that I had done much for him by placing him as an independent monad in an alien system; where the sense of isolation would either have a depressing effect upon his mental powers, or drive him for relief into low company, against which, I conceive, "the special superintendence of University Officers to be constituted Tutors or Guardians of the University Stu-

^b Report, p. 49.

^c Ibid. p. 50.

^d Ibid.

Rev. O. Gordon. dents^e," would be no efficient protection. And I cannot think that the cases of Edinburgh or Glasgow are much to the point, inasmuch as their practice is universal and systematic in one way, and ours in the other ; and assuming ours to be the best, which I believe it is, the question before us is, not whether this mode of extending the University to a poorer class of students is possible, but whether it is the only mode, or whether we cannot accommodate them better by an adaptation of the principles by which we have hitherto been guided. I must confess that the objections urged by archbishop Whately, Mr. Cox, and Mr. Temple, would make me most unwilling to consent to this plan, unless I was convinced there was no other alternative. Still, believing that there are persons who would surmount their difficulties and resist their temptations, "youths of great powers, who would probably desire a University education, if they considered it within their reach, and would submit to great privations in order to obtain it^f," and entirely agreeing with the Commissioners, "that the loss of one such person would be a serious loss," I would not set my face against it, if there was not a better plan, suggested though not approved of by the Commissioners themselves.

In that one which we have been considering, I cannot help thinking that the Commissioners have unconsciously suffered their designs for the benefit of poor scholars to be influenced by their anxiety for "the Restoration of the University" which has been "absorbed by the Colleges^g." I do not consider that the University would be "restored to its proper superiority" by the means proposed. I think it would be much more likely to suffer from its representatives ; and that it is a great recommendation of the plan next suggested, that it would be a simple development of our present system, and an attempt to turn to some undeniable use the plant and properties which we are frequently told are at present lying unemployed.

The plan to which I have now to call your attention comes before us in the form of a proposition, ^h"that the provision by which Colleges and Halls are obliged to have all their rooms accessible through one common gate should be annulled." This might mean nothing more, than that such Societies as

^e Report, p. 53.

^f Ibid. p. 49.

^g Ibid. p. 45.

^h Ibid. p. 257.

have not room for their present members within their walls, and cannot make it, should be allowed to provide for them elsewhere, still continuing on the same footing as the members actually resident in College. And to this I see no great objection, if a case of urgent need, and impossibility of meeting the demand otherwise, can be made out; due precaution being taken that the same rules be observed, and not less strict discipline maintained, in the new establishment than in the old. Nor should I care much if the effect of this should be to reduce the number of students in some other societies: for I should least of all wish to check the expansion of any College that is thought better than any other, and I am not aware that there is any virtue in passing under a particular gate.

*Rev. O.
Gordon.*

But I apprehend that the Commissioners contemplate establishments of a different order in connexion with existing Colleges. And as this is an idea which I advocated some years back, in a pamphlet which Mr. Pattison has done me the honour to quoteⁱ, and as subsequent reflection has only confirmed the views I then entertained, I shall proceed to point out its advantages in as few words as I can.

Alongside, then, of the existing Colleges, I would simply propose new establishments, on a more economical scale, for poorer men. Yet, when I speak of a more economical scale, I must at once express my opinion, that the saving will be due rather to the prevalence of different social ideas and habits, if they can be created, among the inmates, than to any great deduction that can be made from the present rate of necessary charges.

Mr. Temple estimates the expence of erecting a Hall for forty students at 15,000*l.*; which, at 4 per cent., gives 15*l.* a head per annum for one single furnished room and a common sitting-room; this, with 5*l.* added for rates and repairs, amounts to considerably more than is charged for two rooms in College. And the same may be said of the charge for tuition, which he fixes at 17*l.* 10*s.* So that, as regards lodgings and tuition, there will be a positive increase in the Hall for poor scholars.

Another estimate, which I believe rests on Mr. Melville's authority, is somewhat lower; viz., for lodgings and tuition

ⁱ Evidence, p. 44.

Rev. O. Gordon. each 13*l.* 6*s.* 8*d.* But this is for a larger establishment; and, allowing it to be within the mark, is still higher than Collegiate charges. The saving therefore will come out of the domestic expenditure, which Mr. Temple fixes at 30*l.* per annum, making the whole 67*l.* 10*s.*; the lower estimate at 25*l.* making the whole 51*l.* 13*s.* 4*d.*

The gentlemen who presented an address to the Hebdomadal Board, March 16th, 1846, expressed their conviction^j, that in an establishment such as that of which I am speaking, the annual payments for board, lodging, and tuition might be reduced to 60*l.* at most^j.

Now I have known payments actually reduced to that in College; and my own, I believe, did not exceed 70*l.* when I felt it my duty to keep them down. And though I will allow that certain extras were not included in that sum, which it is supposed would be covered by the amounts specified above, yet I think it is clear no such saving can be effected on the minimum expenditure at College as can be expected to introduce any considerable number of poorer men into the University^k.

No great saving, I say, can be effected on the minimum, in a Hall expressly constructed for poor scholars; but this I think may be done, expences may be kept down to the minimum, which is at present and is likely to be very generally exceeded. This will be done by stringent rules inflexibly enforced—by entering men only on the profession of poverty

^j Appendix, p. 55.

^k In confirmation of this opinion, I may bring forward a calculation of the relative expenses of an Undergraduate at a College in Cambridge and a Hall in Durham, especially intended for the poor:

<i>Cambridge.</i>				<i>Durham.</i>			
Tuition	..	..	10 0 0	Tuition	..	..	15 0 0
Rent, unfurnished rooms	10	0	0	Rooms, furnished	..	18	0 0
Attendance and taxes	6	5	0	Fees	..	3	0 0
Coal	..	..	3 10 0	Board, 25 weeks	..	22	10 0
College payments	..	5	7 4	Laundress	..	5	8 0
Board, 25 weeks	..	20	12 6				
Laundress	..	5	8 6				
							£63 18 0
			£61 3 4				

At the College in Durham the expense is 10 per cent. more.—*From a Letter in the Times of May 5.*

—by providing furniture—by permitting none but public meals—and by the entire exclusion of private entertainments—if possible of all ideas connected with them ; so as to bring the student's "entire expenditure within the sum of 80*l.* yearly¹."

*Rev. O.
Gordon.*

This I think might be the entire expence, though in connexion with a college it does not follow that it should fall entirely upon the student ; while however I may be permitted to remind the Committee that benefactions and assistance do not diminish expences, except so far as the individual is concerned, and that I have been considering simply what a thing costs, without regard to the source from which it may be supplied. I think however, Colleges may render very material assistance, without speculating on the possibility of private aid, which the gentlemen whose address I have quoted have expressed their willingness to give.

Some Colleges, for instance, might be able and willing to erect the buildings partially or entirely, which would be so much deducted from the rent of rooms. Any College might supply tuition at a cheaper rate, in consideration of the incomes which the Fellows have to start with and fall back upon. For instance, if the Warden is to receive 450*l.* and his Fellowship is worth 200*l.*, the difference would only have to be added to it ; and so with the Tutors. Some Fellows might give assistance for nothing ; and the students might be included in the general system of College tuition, and thus enjoy the assistance of a greater number of Tutors, without any additional trouble or expense ; just as now at Christ Church, where the foundation is extremely poor—the poorest I believe in the two Universities—a certain number of servitors are taken, who pay nothing for their tuition ; and this of course might be done on a larger scale by the richer foundations. And this, let me observe, would be to make the poor participators in the benefits of the foundation—nay, the benefit to each may be accurately measured by the difference between what they would actually pay for the advantages received, and what they would have to pay if the foundation did not exist—which in the richer Colleges would amount to something very considerable. Besides which, the existing collegiate buildings, the hall, library,

¹ Appendix, p. 55.

Rev. O. Gordon. chapel, offices, would be all available in many cases, to which I need not refer more particularly, which would save very considerable expense, and add much by the very association of their name to their character and dignity of the establishment. And I think also that the University might be asked to give assistance to its inmates, by relieving them from all fees on matriculation and graduation, and of all Professorial fees and dues whatever.

The objections to this scheme seem to me not to be overpowering. "Such poor men's Halls," it is urged^m, "would probably diminish the attractions of the Colleges to which they were attached, in the eyes of such persons as now resort to them, if the numbers of the Hall bore any large proportion to those of the College. Wealthy parents are usually averse to the intercourse of their sons with persons in a lower social position." Aversion is a very strong term, and I should be sorry to suppose its existence; but as a matter of fact people do associate with those whose pecuniary means are somewhat like their own, rather than with others; and this fact seems to me to be a strong argument in favour of such societies as I have advocated. At all events, the objection extends in another way to the University poor scholars who enjoy the favour of the Commissioners; for it is clear that on their hypothesis either they will have no society at all, or their society will be confined to their own class, as they may chance to make acquaintances; but if so, would it not be better to unite them together at once, under proper authority, in a separate establishment? But it is said, "The temper of the times is averse to the continuance of such distinctions." I do not think the temper of the times expects persons who are the recipients of charity, and carry the profession of poverty with them, to live as independent gentlemen. But I do think the temper of the times is against such distinctions as are humiliating and painful to the wearer of them; and I am glad to find it allowed that this feeling has been recognised in the University "by placing the Bible Clerks, who in several Colleges had mortifying duties to perform, as far as the authorities can place them, on a level with other studentsⁿ." But I cannot see any thing humiliating in distinctions such as are proposed, if men felt that

^m Report p. 38.

ⁿ Ibid.

they were treated with sympathy and kindness; though I will confess that if the consciousness of poverty, and the necessity of submitting to its laws is in itself to be considered an humiliating circumstance, I have no answer to give to the objection.

*Rev. O.
Gordon.*

The Commissioners go on to say, "that the present Commoners would thus be raised into a new kind of Gentlemen-Commoners." This is virtually true, though there is no need why those terms should have been employed, and is to my mind a great recommendation of the scheme; for I am sure that it is only by regarding rich and poor as such, and making arrangements accordingly, that they are likely to be brought together as fellow students in the same University, unless it be by an entire breaking up of the Collegiate system.

It is true also that there would be a danger of such Halls ceasing to be places of education to the poor, and becoming mere extensions of the parent society. And this tendency would be felt the more, as in course of time endowments might be given for the sustentation of the inmates. This however would not be immediately the case, and it would be the part of a wise administration to meet and check the tendency as circumstances occurred to give it force, which might be done to a great extent by the enforcement of prudent regulations.

I have not gone into the question of ways and means, important as it is; because I know nothing of the resources of different Societies, and my object was simply to point out the cheapest and most natural mode for the extension of the University to a poorer class of students; but certainly if adequate funds cannot be supplied for this mode, it is not likely that they will be forthcoming for any other. And it will be observed, that I have hardly alluded to the possibility of receiving private benefactions.

The Commissioners "have no wish to encourage poor Scholars to come to the University because they are poorⁿ," and they seem to deprecate the exercise of "a charity designed to produce under artificial stimulants, a large class of Students, without vocation or special aptitude for a learned profession." This should be guarded against, but a system should not be condemned, even if it has that effect to a certain extent; for

ⁿ Report, p. 40.

Rev. O. Gordon. if assistances, hopes, and prospects have any influence on youths of superior abilities, and who therefore *ceteris paribus* can take the best care of themselves, it is not to be expected but that they should operate also on those of a more ordinary kind, who are more dependent upon others. And I should not be disappointed myself, if I found the applicants at such Halls possessed only of an average degree of talent, and even less than an average degree of acquirements, from the want of previous advantages under which many of them may be supposed to have laboured. I should however expect them to be youths of more than average determination and studious habits, as otherwise I can hardly conceive that they should wish to come up at all. On the whole I should anticipate that they would be characterised by a respectable mediocrity, with brilliant exceptions occasionally, and become very useful men; though I cannot conceal from myself, that the rules and discipline of the place might be irksome to men of superior abilities, who from their circumstances would be generally self-taught and of a peculiar idiosyncrasy: and to such exceptional cases, which no system can provide for, I am free to confess the favourite plan of the Commissioners and the independence which it offers, holds out greater attractions if not greater advantages. I may however observe that if their views are carried out, these solitary monads will not be a very distinguished class. For if Colleges are to be so regulated “as to enable all young men who have gained a Scholarship to go through their Oxford Course with as little expense as would be incurred in affiliated Halls, even according to the estimate of their warmest supporters^o,” the best of them would certainly get Scholarships; which with or even without the addition of what they are supposed to have, and must have, to enable them to live as independent members of the University, would enable them to live as members of a College, for it is suggested “that no Scholarship should be of less amount than 50*l.* a year^p,” leaving thus none but the refuse to fall back into the ranks of the unattached.

Having now gone through these points, there remains little to say on the subject of Independent Halls, except that they

^o Report, p. 40.

^p Recommendation 35.

*Rev. O.
Gordon.*

would be more expensive to establish, and in my opinion less respectable when established ; and it would seem to be a great waste not to avail oneself of the materials already existing in the University. The Commissioners have urged this so forcibly that I have only to refer you to their words⁹. Mr. Melville indeed thinks it may be done, and would even be an eligible investment for money, but I do not think he will be able to recommend it in that point of view, and at all events whatever the cost of an independent Hall, the cost of an affiliated one will be less. Of course if any Fellow of a College in consideration of his Fellowship undertook any duties in the new Hall for a lower rate of remuneration than he would be otherwise able to do, which is very possible in Oxford ; the ends of economy would so far be served, and the Hall would, while that lasted, be in an intermediate state between absolute independence and complete affiliation ; and the prospect of such assistance might reasonably be calculated on in this place.

Taking all things however into consideration, I cannot say that I am in favour of independent Halls, while we have facilities of doing better ; and I should resist any application of University funds to such a purpose either in the way of loan or gift. If the first is all that is asked for, other parties might be found to advance the money on good security, and the result of the attempt to borrow it would be a good test of the soundness of the scheme, in the estimation of the public ; if the second, it would be much better to devote it to the endowment of some Hall now in existence, which might be willing to adapt itself specially to the circumstances of poorer students, and is already in possession of a partial foundation in the shape of ground and buildings, or to the establishment of a number of scholarships for the benefit of poorer students wherever they may be located. But I believe the University has quite enough upon its hands, in the new Museum it has undertaken, to find employment for its funds for some time to come.

⁹ Report, p. 42. "The expense of erecting suitable buildings will be still greater than that of founding affiliated Halls, since libraries, culinary accommodation, dining-rooms, and chapels will be required in addition to the lodgings of the Students. The annual expense of the maintenance of each Student would be considerably larger, as it would be necessary to provide for the adequate support of a Head and for a complete establishment of servants."

*Rev. O.
Gordon.*

Nevertheless, if any private persons were disposed to found a Hall for poorer students, and place it upon a permanent basis, I should offer no objection, but should be willing to recognise it at once and give it a place among the United States of the University, though I should not think it the most judicious or economical employment of the capital required for the purpose. But munificence has always a right to select its own mode of action; and if one does well, another may be stirred up by the example to do better. As regards the danger of party spirit, it is an evil incident to all societies from time to time, and whatever that might be in this particular case I should incur it without hesitation, for the sake of the benefits to be obtained, and with the hope of mitigating it by reasonable precautions.

I have nothing to say about the fourth mode suggested of extending the University, viz. "By permitting members of Colleges and Halls to live in private lodgings" except that I disapprove of it. The Vice-Chancellor has already power to give permission to that effect in special cases; and I think he exercises a wise discretion in confining it to married men and a few other instances of defined peculiarity. I believe it is granted where a youth lives with his parents, on the application of any College that will receive him on such terms, and on proper representation from the society to which a man belongs due regard I believe would be shown to any "circumstances, health, character, bodily or mental infirmity which may render a person unfit to become a member of a large College or Hall, but would not disqualify him from pursuing his studies with advantage, in a private Hall or house under domestic superintendence^r." But I cannot approve of a general development of Lodging Houses under Masters of Arts, and with the name of Halls, however "kindly^s" the discipline and "amiable" the society; nor do I think that the parties for whose especial advantage they are designed^t are exactly those who most require to be treated as children. As for the "not^u inconceivable case that Masters of Arts might be found, possessed of private means, who would undertake, as a work of charity, the

^r Recommendations of the Tutors' Association respecting the extension of the University of Oxford, p. 19.

^s Report, p. 45.

^t Ibid.

^u Recommendations, &c. p. 20.

education of a small number of extremely poor men, making little or absolutely no profit from them," I should be so unwilling to interfere with any work of charity, that I should be disposed to make a special exception in favour of such a case when it arose, without laying down any general rule of action in the matter. And with the remark that I do not think very highly of this mode of extension, I leave this part of the subject.

*Rev. O.
Gordon.*

One point however closely connected with it, and which ought perhaps to have been considered first, and has not, as it appears, engaged the attention of the Commissioners, still remains. Is there a demand for University Extension? I do not ask, Are not many minds engaged upon it, and thinking it desirable and necessary, but, Is there really a large class of persons who wish to come to the University, or who would wish to come if it was fairly put before them, and are at present prevented by any circumstances which we can alter. I believe myself that there are some, but I think at the same time their number is very much exaggerated. Sir C. Lyell says^x, "that parents possessing ample pecuniary means are often deterred from sending their sons to Oxford, by well grounded apprehension of their contracting notions incompatible with the line of life to which they are destined." "They wish, for example, to bring them up as attorneys, publishers, engineers, surgeons, or as merchants in some established house, and naturally turn their thoughts to Oxford as a safe and good training place, till they are warned by those who know the working of the system." As he speaks from personal experience we may be sure there are such cases; but when we consider that surgeons and attorneys are seldom articled later than eighteen, and that "merchants do not think fifteen at all too early" we shall be disposed to believe that they are not very many; while among persons of poorer circumstances, who are obliged to make great sacrifices to put their sons in the way of entering those professions, and are anxiously looking forward to the time when they can begin to get their own living, they would hardly be found at all. Nor do I think this latter class would be affected to any great extent, even if the apprenticeship for solicitors and merchants were abridged;

^x Evidence, p. 131.

^y Ibid. p. 212.

Rev. O. Gordon. however the number of wealthier students intending to devote themselves to those lines of life might be increased by such an arrangement. Allowing too that want of confidence keeps some away, and that applications are made to single Colleges, in which confidence is felt, by numbers who if refused admission there do not come to the University at all, I still cannot conclude ^z“that there are a great many young men who ought to come to the old Universities, and who would come.” If this were so, I should surely be able to refer to some cases within the sphere of my own acquaintance, which is extensive among the middle classes; yet I can safely say that I know of none, though of course it may be replied by those who think so that the state of the University hitherto has offered no attraction. Still the fact remains, that I can point to none that have been kept away. I can point to many that have been brought here, by a cause which I fear will find very little favour in the eyes of the Commissioners, by the the existence, I mean, of local foundations. I am myself one of those, and I could instance, many others who have not disgraced themselves, and whose thoughts were turned from school to college by the operation of this sole cause. And I venture here to call upon you, if you wish not to extend the University, but to maintain your present numbers, not to give up silently this patrimony of the poor, and not to convert into prizes for “merit,” as developed in examination, what was intended for the relief of poverty, and the support of men who would not otherwise have thought of coming here, with the full knowledge on the part of the Founder that unfit persons might from time to time avail themselves of the means supplied, but with the charitable intention that fit persons should not be without them, and the reward “of merit, in the only sense in which the word is worth dwelling upon, the patient and self-denying cultivation of those talents, whatever they are, with which the individual has been gifted ^a.” It is to the establishment of local foundations in connexion with training, national, and other schools, in towns, counties, and parishes, that I look for the extension of the University to the poor; and it is the means of providing

^z Report, p. 47.

^a Mr. Merivale's Evidence, p. 200.

for such classes which I have especially considered. I think something that would tell upon the country, and especially upon the Church, may be done in this way, thus "filling up the chasm which exists between the schools on the one hand, and the ministry, which requires to be augmented, on the other ^b;" but I have no hope of the University ever becoming a place of Professional education, or of a large increase of our numbers, consequent on any extension of our studies, or change of our system, though undoubtedly some increase is possible, and may be expected. I have only to add, that I cannot help wishing that some further inquiry had been directed to this subject, and that something more than vague anticipations of indefinite increase had been presented to us. I shall now proceed to consider the recommendations relating to the studies of the University.

*Rev. O.
Gordon.*

XI.

I cannot see any advantage in a public examination for all young men before matriculation. I should condemn it even on no other ground than the practical inconvenience of holding it. It is desirable, if possible, that all men should matriculate in the same term; and we endeavour at Christ Church to approach as near to this arrangement as possible. Now the evil of bringing up three or four hundred school-boys in a term to wait their day of examination, moving off at the rate of not more than twenty per diem, would be incalculable; while the attempt to bring them up in detachments would involve serious inconveniences; and indeed if the recommendation of the Commissioners were adopted, viz. "to print the names of those who pass in two divisions, the first containing those who have passed creditably, the second, those who have merely passed ^c" would be almost impossible, as such a classification would necessarily require them to be examined in the same subjects and at the same time. Under the present system each College examines its own men, and they can be dismissed the same day. Nothing could be more unwise than to bring up a crowd of schoolboys to lodge in hotels; and I have known great harm done to youths who have come up to stand

^b Address on University Extension, Appendix, p. 55.

^c Report, p. 70.

Rev. O. Gordon. for exhibitions and scholarships; and the evil would be much aggravated by the anticipated extension of the University. But I object to the Examination as a public affair altogether. It seems to me to be exactly one of those matters which had best be left in the hands of the Colleges. The Commissioners appeal to precedents, but these are actually drawn from Colleges, whether old, as New College Oxford, King's College Cambridge, and Trinity Dublin; or new, as Haileybury, Addiscombe, or the Queen's Colleges in Ireland. I am not aware that the University of London examines except for degree, though doubtless London University College does at entrance; and Durham University as regards its system may almost be considered as a single College. All these are precedents for an examination by the society with which the youths are immediately connected, but they go no further. ^d "The advantage of an Examination before matriculation may be at once inferred from the fact that the best Colleges have already adopted it for themselves." This is quite true, but it does not prove that the Examination ought to be taken out of the hands of the Colleges. It is intended I presume to establish something like an uniform standard of qualification, or at all events to fix a minimum. If so, I will venture to predict, that, unless the University is to be half emptied, the minimum must be considerably lower than what is insisted upon in the best Colleges, and we shall have this result; those Colleges will either have to take inferior men than they accept at present, on the recommendation of the University; or if they choose to reexamine, men will find themselves in the anomalous position of being pronounced fit to become members of the University, but not fit to become members of a particular College. So that there will either be no uniformity in the several colleges, or it will have to be purchased by lowering the standard in the best. It is hard to see what would be gained by this; and if it is supposed that some general good would result from the public establishment of a minimum of proficiency, I have learned from experience that a minimum is very likely to be mistaken for a maximum, and that the knowledge of its exact amount beforehand may do more harm to those

^d Report, p. 68.

who by a natural effort could and would rise above it, than good to those who by a great effort can just reach it. This is an evil attendant upon all examinations, and in proposing a new one, it is always a point to be considered whether the advantage gained is sufficient to counterbalance it. I might say more on this subject, but Mr. Martin of Trinity College, Cambridge, has expressed my opinions so clearly that I will only transcribe his words^e: "The duty as well as the privilege of each College is to admit such Students as it considers likely to derive benefit from attending its lectures; that of the University is to see that the Students are duly qualified at the Examinations previous to conferring the degrees. Some Colleges may, by greater attention bestowed on their students, or by a different style of lectures, or from the smallness of their numbers, or other means, be able to prepare a class of young men for the University Examinations, different from that which another College is able or willing to do. I see no necessity for the standard of admission at all Colleges being the same; in fact the very difference has its advantages. The mode of lecturing is not likely to be the same at all Colleges, neither is it desirable to have entire uniformity Instances not unfrequently occur of Students who having been considered unlikely to profit by the lectures of one College, have gone to another, and by their own steady application, and the pains bestowed upon them, eventually obtained a degree with credit.

*Rev. O.
Gordon.*

"But it is said that the plan has been tried at Trinity College and found to succeed, and that the principle is the same in the case of the University. The plan tried at that College is a *private* examination, conducted by its own officers in conformity with its Statutes. I certainly think that Trinity College would lose by substituting a public for a private examination. Their private examination they can easily alter as they find advisable; a public one would in many respects not give the same satisfaction, nor answer the end proposed." Mr. Martin has also made some valuable remarks on the class of men who would be most likely to fail; to which I beg leave to call your attention.

^e Dr. Whewell on Cambridge Education, part II. p. 139.

XII.

*Rev. O.
Gordon.*

The liberty here recommended exists to a considerable extent already; and I do not think it would be wise to go further at present, except that I would consent, though with great doubts of the expediency of the change, to transfer the second Examination in *Litteris Humanioribus* from the beginning of the fourth to the end of the third year, i. e. from the thirteenth to the twelfth term from matriculation. As the range of "Moderations" is from the eighth to the twelfth term, which the Commissioners do not propose to alter; this would in fact be a near approach to the views of the Commissioners, as regards such persons as might take advantage of the liberty thus conceded to them, inasmuch as they would be left free for nearly a whole year to devote themselves to some special branch or branches of study, even if they took their degree in the sixteenth term according to the present regulation; with the option of course of extending the period till their eighteenth term. But I am entirely opposed to the idea of getting rid of the final Examination in *Litteris Humanioribus* as a necessary part of our system, and "relieving students after giving satisfactory evidence of Classical knowledge at the Intermediate Examination, from continuing the *studies of the grammar school*," which I may observe is a somewhat unfair expression, as applied to Philosophy and History, which are intended to be the staple of the second Examination in this school, however inadequate the amount required. I cannot agree to the proposed abridgment of the study of Classical Literature, and I will only refer those who are in favour of it to the unanswerable arguments advanced by Dr. Whewell in the first of his valuable treatises on Cambridge Education. The Cambridge system indeed, agreeing with us in maintaining the principle of a necessary line of study to as late a period as I propose, (^hhaving made the very alteration from the beginning of the fourth to the end of the third year, alluded to above,) differs from us in exacting a certain portion of Mathematical knowledge rather than Classical as the primary qualification for a degree; and Dr. Whewell objects to the lowering of the Mathematical condition required for the

^f Report, p. 72.

^g Vide Statutes, Addenda, Tit. IX. §. 8. 8.

^h Dr. Whewell, Camb. Ed. part. III. p. 16. § 400.

Classical Tripos, by the admission even of the first class of the πολλοὶ as Candidatesⁱ. He fears even from this concession a decline of Mathematical study, and the loss of those peculiar benefits which are derived from a strict and laborious attention to Mathematical reasoning. It should be noted however what that system of Classical study is or was which he thinks will thus gain an undue preponderance over Mathematical studies, to the great detriment of the reasoning powers. I quote the confession of a victim. ^k It resulted in mere skill, and in no "scientific and well grounded knowledge on any classical subject whatever, not excluding language. At best it was a sort of empirical knowledge, wholly confined to Greek and Latin. No scientific knowledge of Ancient History, Philosophy, Antiquities, or Philology was of the least importance. If a few questions appeared on such matters, they were wholly overbalanced and made insignificant by the preponderance of skill in writing the three languages in all possible combinations; and it is a fact, that any one might get any thing, up to the Chancellor's medal, without even a tolerable knowledge on such subjects; for I did it." And the tendency of this reading was "to give, not perhaps a distaste, but an incapacity for all continuous thought, all intellectual labour, all systematic arrangement of knowledge, all useful exertion of the memory in matters speculative." But our Examination in Litteris Humanioribus is very different from that of the Cambridge Classical Tripos, and seems to embrace just those very requisites that are most desiderated there; and Dr. Whewell himself seems to think that if a substantial element were introduced into the Classical Tripos Examination, if it were extended into the matter as well as the language of the great authors, ^l if it embraced Moral and Political Philosophy, as it is found, for instance, in the great works of Plato and Aristotle, if Ancient History were made not a mere subordinate but a prominent part of its subjects, in other words, if it were assimilated to the design at least and conception of ours, the relaxation of the Conditions of Mathematical knowledge would be less objectionable, and the ascendancy of the Grammar School over the University less injurious. I am

*Rev. O.
Gordon.*

ⁱ Dr. Whewell, part II. p. 13. § 304 sq.

^k Ibid. p. 25. § 216.

^l Ibid. p. 29. § 821.

Rev. O. Gordon. justified therefore in saying that the systems of Oxford and Cambridge are based upon a common principle, with just such a modification of its development as serves to meet the different tastes and minds of students without giving them an indefinite liberty; and we are supported by the high authority of the sister University, in insisting upon a prescribed line of study for a period of not less than three years, which the Commissioners now call upon us, unwisely as I think, to shorten. It will be observed that I agree with them, as to the propriety of allowing the students a freedom of choice during the latter part of their academical course. I differ from them as to the time when that freedom should commence. The University has I think adequately secured that freedom by offering students after their necessary course is finished, their choice of the Mathematical, Natural Sciences, and Law and Modern History Schools, thus embracing nearly the same round of studies as is contained in Cambridge under the Classical, the Moral Sciences, the Natural Sciences, and the Mathematical Tripos respectively, though somewhat differently arranged and taken in a different order.

XIII.

The scheme of the Commissioners differs considerably from this, and offers a choice among six^m different lines of study, the last three of which are identical with the subjects of the three schools lately instituted in Oxford, except that Ancient History is no longer distinguished from Modern, and is thrown into a voluntary school. In the three first however great changes are proposed. Mental Philosophy stands distinct and alone. Philology, discarded from the necessary routine, finds favour again under the voluntary system, with the additional attraction of Oriental Languages, and an entire new school of Theology makes its appearance. The suggestion of Oriental Languages is I think very well worthy of consideration; and as I have long thought that Oriental Literature ought to have a place of honour in the University, I should be disposed to institute a new school like the three existing for its encouragement: and perhaps the East India Company might be able and willing to aid us here and at Cambridge by

^m Report, p. 73 sq.

appointing teachers, and offering prizes for competition, and by other ways: but I cannot help thinking that the establishment of a School of Theology, especially where isolated as proposed from Mental Philosophy and all other subjects for youths of possibly not more than two and certainly not three years' standing, would be a great mistake. Of course the division of subjects is simply for convenience, and it is not intended to erect barriers between the different provinces of knowledge, so that he who devotes himself to one particular department would be held a trespasser if he crossed its border; nevertheless a line thus distinctly drawn is not without effect, and has at least a tendency to narrow the mind and check the free development of its powers, and I do not think the English Clergyman, though he would doubtless be better instructed in technical Theology by the system proposed, would on the whole be made a more efficient man by devoting his whole attention to it at the age of nineteen or twenty. And it is to my mind no small objection to the plan that he would either be impelled to elect to take orders at that early age, or if the resolution was formed at a later period, would find that he had absolutely diverged from the line of his studies preparatory to his office; and thus, if the course of the Theological School should come to be insisted upon as a condition of Ordination, through the difficulty of retracing his steps the Church might lose many a valuable servant. I am far however from saying that some distinct Professional training is not desirable for Clergymen, though the present system of indiscriminate education is not without its advantages.

With regard to the Distribution of the Professors into Boards for the regulation of studies, I am of opinion that regulations are wanted, though it would be an evil if they were too strict and elaborate; but I object to the constitution of permanent boards, with supreme authority. There might be other persons in the University not happening to be Professors, yet perfectly competent to give advice, but who would not like to offer it, except in the form of opposition to a Board in whose deliberations they would have no voice; and the Professors themselves would have ample power of regulating the studies of the University by the influence of their Lectures, especially if they could be induced to take a part in the Exa-

*Rev. O.
Gordon.*

Rev. O. Gordon. minations, and the distribution of Honours. It might, however, be found advisable to appoint Delegacies from time to time (which would be done by Convocation) to draw up Regulations with authority; and in those, such Professors as might be known to take an interest in the matters under consideration, and to be most competent to advise upon them, would have a place assigned them, and act a prominent part. But I believe any formal organization of the Professors into permanent Boards would be a positive evil.

XIV. XV. XVI. XVII.

It will be convenient to take these recommendations together. They relate to what is called "the Restoration of the Professorial System;"ⁿ though the Commissioners themselves show incidentally, that the system that is generally spoken of in those terms has never yet existed. This, I think, is generally allowed, though the use of the term "Restoration" might seem to imply the contrary; for it has never been insinuated that the University has diverted from their purpose any Professorial endowments, which are evidently a very essential part of the scheme at present contemplated. And in answer to Mr. Lyell's objection to the existing system of the English Universities, that it is of modern origin, Dr. Whewell observes^o "that it has prevailed here from the time of the Reformation; which is surely antiquity enough, if antiquity is to guide us." But, as he remarks^p, "the defenders of the College system have never rested its defence mainly upon its remote antiquity;" and, on the other hand, I am sure the Commissioners are free from any prejudice in favour of the Professorial system as opposed to it, on the ground of a fancied mediævalism. The consideration of antiquity may, I think, be set aside by all parties; nor is it necessary to hamper the establishment of a system with the idea of a restoration, when the question is not, what is most ancient, but what is most suited to the needs and exigencies of the present time. And I am myself most anxious to cooperate in establishing such a system of University, in combination with Collegiate, teaching, whether it is called Professorial, or by any other name.

I fear I shall hardly be able to express myself very briefly

ⁿ Report, p. xxvi.

^o Camb. Educ. part I. p. 129. § 142.

^p Ibid.

*Rev. O.
Gordon.*

on this subject, though my remarks have already been extended to an inconvenient length. I must, however, appeal to your forbearance, while I point out three distinct senses in which the term Professor seems to be employed, or, at all events, three distinct notions which it embodies. It may mean simply an University Teacher, as opposed to a Collegiate one. It may be reserved to the high priests and oracles of learning, to persons preeminent in some particular branch of knowledge; gifted individuals with no special duties of teaching ordinary men, but endowed with ample salaries, that they may be able to devote themselves entirely to their own favoured department. It may be the honorary title of a literary or scientific man, pensioned. The idea of an adequate remuneration is the generic notion common to all — (and I do not say this invidiously, for the labourer is worthy of his hire, and in nothing more than literature and science :) but there is this difference—the first is paid for what he is doing, the second for what it is supposed he will do, the third for what it is presumed he has done. Now I have very little to say about the third, except that I believe that the Universities in their present state do go far to supply all that is needed in that respect to men who have laboured in and for them; and they cannot surely be expected to provide for those who have not done so. The Universities are not the country; and it is no fault of theirs, if the country suffers men who have deserved well of it to languish in obscurity, or to feel that whatever they may have done to advance the knowledge or improve the condition of their generation has been profitless as regards themselves; but it is of the highest importance to distinguish between the duties and functions of the first two,—the University Teacher, as I will call him, and the Professor *κατ' ἐξοχὴν*,—before we decide upon any scheme for the Restoration of the Professorial system. And in so doing, I think we shall be brought to this conclusion: that the teaching of the first will not come up to the Professorial idea; and the teaching of the second will, as regards the majority of men, be unpractical and inefficient. Mr. Vaughan for instance, who speaks of the Professor in the second sense, seems to imagine, on the part of Professors, a possible want of activity¹ “in teaching classes, or even audiences.” But “they will investigate, reflect, and write,

¹ Evidence, p. 274.

*Rev. O.
Gordon.*

even if they do not very actively lecture ; they will address the world, if not the students of the Academy, and their words will come back to the University in some form after many days. They may not irrigate the ground immediately beside them, but the abundance of their spring-heads, and the larger volume of their pent-up waters, must go forth to feed and cleanse the cities of the earth, or to move the vaster wheels of European literature, or to deepen the main sea of the world's knowledge." This is eloquent language, and embodies a lofty conception of duty and destiny ; though, perhaps, somewhat deficient in the filling up of its details, and compatible, as it would appear, with the fact of a general non-residence. At all events, it is clear that it suggests no practical mode for the improved instruction of undergraduates. On the other hand, Mr. Senior, who speaks of the Professor in the first sense, tells us, ^r "that he ought to be resident at least one half of the academical year. His lectures ought to be given to small classes. They ought not to be written ; they should consist principally of conversations with his pupils ; the system of instruction should resemble more that which is given by College Tutors. The Professor would be converted into a sort of University Tutor."

I have taken two extreme views for the sake of illustration, and not for the sake of finding fault with either ; but, looking at them as two types of their respective classes, I would ask as a practical question, which of them is to be substituted for the College Tutor ? If the first, I feel assured that the mass of men will learn nothing. If the second, there will be wanted as many Professors then as there are Tutors now, following, as Mr. Senior remarks, the same mode of teaching : so that the difference will be one merely of name,—at least, while classics and mathematics continue to be the fixed necessary subjects of instruction here, or, as Dr. Whewell calls them^s, the essential parts of a liberal education, as I hope they ever will be.

Nor at whatever point we place the Professor between the two extremes indicated above,—considering him simply as the best informed man in his own department, and yet able to condescend to the indolence and incapacity of those he has to teach,—will it be possible to remove the ordinary run of men, at any period of their Academical career, from the supervision of their Tutor, and range them round the chair of the Pro-

^r Evidence, p. 280.

^s Camb. Educ. part I. p. 116. § 126.

fessor, with any prospect of advantage. It is, indeed, a pleasing idea, to imagine the undergraduate, after one or at most two years of initiatory study, transferred into a freer atmosphere, and subjected to the influence of a higher style of teaching; but however desirable for tutor and pupil such a translation may appear, however easy and natural as part of a theoretical scheme, I fear it will be found to be nothing more, when tried by the stern realities of experience.

*Rev. O.
Gordon.*

This is no abstract question, but one deeply immersed in matter, some of it of a very dense and impracticable quality, and in point of fact so far from men being in a fitter state to attend a series of public lectures together after a year or two of Collegiate instruction, the very reverse is the case; for men are nearer on a level as regards acquirements and power of comprehension, when they first come into residence as freshmen, than after two years' idleness or industry; and this divergence which commences from the first, increases at an accelerating rate each term, so that at last it becomes absolutely impossible to include in any common system of instruction men who originally sat together in the same class, and read the same books. And I presume this divergence is not peculiar to the subject-matter of Classics and Mathematics; but would be equally likely to occur in any subject-matter whatever that might be introduced. And therefore I cannot think it probable that Professorial lectures would diminish the demand for private tuition, nor that Professors would be "well fitted to measure the capacity of learners" because they might "be profoundly acquainted with the difficulties of their subject"—for this requires an accurate estimate of the individual mind—which it is impossible to form in a class of that magnitude, which is I suppose an essential element in Professorial teaching. And I would appeal to every one of experience, whether as an Examination approaches, every individual does not claim some special attention. It is a real want, and out of it has grown up the system of private tuition which, I agree with the Commissioners^u, may be set aside to a certain extent by the improvement of College Tuition, i. e. by adapting it more closely to the necessities of the individual. The Commissioners in-

^t Report p. 95.

^u Ibid. p. 89.

*Rev. O.
Gordon.*

deed say, that “^xIt is notorious that the want of a higher quality of instruction has in a great measure thrown the philosophical instruction given at Oxford into the hands of private Tutors.” But I imagine any undergraduate would tell them that it was the want not of higher instruction, but of direct personal assistance, that drove him to a private Tutor. And I do not see how this want can be effectively supplied by “any organization of an order of University instructors^y.” It is a necessary adjunct to a system of Examinations, and an evil of it; and whatever facilities of public instruction may be offered, I shall be very much surprised if the new schools of Physical Science and Modern History do not create two new classes of Tutors among us, though they are subjects which require such assistance much less than those which engage the attention of the University now. And this, notwithstanding the appointment of Examiners really eminent in their respective departments, who are expected to drive what is called “cramming” out of the field.

In the remarks of the Commissioners on this subject, I cannot help thinking that they have looked too exclusively to the higher, that is to say, to the least numerous class of students. The Professor, they say ^z, will “address his lecture to earnest students;” but every one knows that that earnestness is often wanting, and that it is often much more difficult to create it than to satisfy it. So Dr. Whewell^a, in answer to a member of this University, “Mr. Lyell apparently has in his mind the image of a lecture room crowded with eager listeners, and he quite loses sight of the question, how he is to realize it out of a number of *given* young Englishmen. He says, ‘A good Professor will inspire his more *intellectual* pupils with a love of what he teaches, and a regard and admiration for their instructor.—Granted.—We know and rejoice that this is so—and that it is so is one of the happy parts of the educator’s lot. But still to him the question will occur—What is to become of his *less* intellectual hearers? or of those who do not choose to hear? or of those who having heard a little, have no desire to hear more?’—Mr. Lyell has given us his views respecting one system of education, but he has only taken into account

^x Report, p. 94.

^y Ibid. p. 89.

^z Ibid. p. 95.

^a Camb. Educ. part I. p. 123. § 134.

the question, what system is best for the best pupils. This very much impairs the value of his advice, for there we have no difficulty at all. The eager and intelligent pupils who crowd Mr. Lyell's ideal lecture-room are those who do well under every system. They are the delight of the instructor's life, and the reward of our labours. But still, all are not of this kind, and the difficulties of education arise from the difficulty of dealing with those who are of a different stamp, the less intellectual, or the inert, or the frivolous. On the treatment of a body in which there is a large mixture of such characters, Mr. Lyell throws no light whatever." And I cannot myself see that Professorial teaching is the key that solves the difficulty.

*Rev. O.
Gordon.*

In pointing out however the defects of the Professorial system as a mode of teaching ordinary men, I would not have it supposed that I am hostile to Professorial lectures, or imagine any opposition between them and Collegiate lectures. On the contrary, I believe that many men would derive the greatest advantages from them, i. e. from lectures in which the student is a hearer only, and in which the lecturer "^bpresents his subject in some form which aims to be instructive or striking, by containing the result of extensive reading and careful thought, or by exhibiting lucid arrangement, or difficulties solved, or new views." And I quite agree with the distinguished authority whose words I have used, that "^cTo attend such lectures, is an event which stimulates and expands in an extraordinary degree, the minds of the more intelligent students; and to have an opportunity of attending such is a very happy circumstance in any one's University education." And I think it the especial duty of the present time to consider and organize such a system of Professorial teaching, for the good that it will do, though without any idea of its superseding Collegiate instruction, or even diminishing the demand for private Tutors; which will always be coextensive with the range of Examinations, whatever methods may be adopted to check it.

It should not however be forgotten, that lectures such as I have been speaking of, are already given and attended by considerable numbers. The Prælector of Logic, and the Pro-

^b Camb. Educ. part I. p. 116 sq. § 126.

^c Ibid.

Rev. O. Gordon. fessors of Moral Philosophy and Modern History, find, I believe, their lecture rooms as full as is desirable; and I am not aware that any lectures are ill-attended when they bear directly upon the University course. But it is obvious that the subjects lately introduced into our system will require a larger staff of such lecturers than we at present possess. The Physical school especially will create a great demand; for however well individual Tutors may be qualified to deal with our present subjects, it is not to be expected that either they, or even individual colleges, should possess either the information or the apparatus necessary for the illustration of the material sciences. The subject of Law again may be treated of with great advantage in a series of public lectures; and I am glad to see this principle recognised in the new statutes that have been framed for the regulation of the Vinerian foundation. And if Oriental literature should succeed in gaining a footing in the University, it is clear that for a long time at least it will be in the hands of University as opposed to Collegiate lecturers. In fact the whole subject of University Lectureships or Professorships calls for reconsideration and adjustment at the present time; and I know no wiser step that could be taken under our existing circumstances, than the appointment of a delegacy or other body to take a comprehensive view of the whole question—to give their whole minds to it—to determine what additional lecturers are wanted, and what the duties of each respectively should be.

I have given my own views on this subject in preference to entering on the discussion of the special recommendations of the Commissioners, and I have spoken of Lecturers rather than Professors in the highest sense, because it is competent and active teachers especially of which the University is likely soon to feel the want now that the range of its studies has been so much enlarged. With regard to Professorships instituted^d “not for teaching merely, but for the support of learned men.” I have given it very little consideration. The subject is one of importance, and the nation may extend the principle of literary pensions as far as it thinks fit, but it surely cannot be expected that the University should vie with railroads^e and

^d Report, p. 97.

^e Evidence, p. 88.

*Rev. O.
Gordon.*

public boards in the scale of its remuneration. My attention has been confined to the means of improving and adapting the system of instruction established in the University, but I will here hazard an opinion, that the idea of localising learning, of collecting the rays of intellectual light in one focus, and concentrating the intelligence of the country in one place is essentially mediæval, opposed to the habits of Englishmen, and neither likely nor desirable to be realized in this country in the nineteenth century. I am not therefore in favour of the University establishing any such Professorships as these, but I am in favour of measures being taken to establish Lectureships in all such subjects as are taught within the walls of Colleges, but may receive valuable assistance from without, and such as from the comparatively smaller number that they may attract in each College or the want of necessary apparatus, must depend upon a combination of the Colleges. A good deal is already done to our hands. The Divinity chairs are adequately endowed. Others connected with the *Litteræ Humaniores* and Physical Sciences are inadequately endowed, (though the University has lately devoted 23,000*l.* to that purpose, and will I hope devote more, when it has paid off its mortgage to the new Museum,) and more are wanted both for that and for the school of Modern History^f. To supply this want every thing should be done; restrictions should be removed if they can be honestly. The designs of Waynflete and Fox at Magdalene and Corpus should be carried out in the letter and the spirit. The University should do what it can. Colleges, especially the richer ones, should consider their duties and ability in a spirit of liberality; and looking to extraneous sources, from which the endowments of most of our present Professorships have been derived, perhaps the East India Company might be induced to make some provision for Oriental languages; especially if any arrangement of its patronage, like that suggested some days since in the *Times*, should be adopted.

The appointment of Professors is a difficult question. Should the Crown or the East India Company found any out of their own resources it would be right that they should retain the patronage; but Professorships founded out of University funds

^f Report, p. 91.

Rev. O. Gordon. should not be taken out of the hands of the University. I have expressed an opinion in favour of Convocation, and I think its appointments are good ; and its judgments generally sound as they appear at the issue of the vote, but I am deeply sensible of the evil and nuisance of canvassing, which takes place to a great extent, and in some cases before the place is vacant, which has always struck me as extremely improper and discreditable. If Candidates and their friends could be induced to abstain from this as a point of honour, but would simply send in their names to the Vice-Chancellor a stated time before the election in order that they might be notified by him in some public way, we should I think have a highly satisfactory mode of election. And I am not without hope the very frequency and importance of elections might diminish the evils attendant on them. But if not and no other remedy can be devised, I should be disposed as a last resort to place them all in the hands of the Chancellor, who would be likely to act under a deep sense of responsibility, in general harmony with those who elected him, and who would himself derive his authority from the free choice of Convocation.

XVIII, XIX, XX.

The next two recommendations call for no remark, except that I should object to any attempt to ignore the ecclesiastical divisions of the year : but the third requires serious consideration. It is a matter of experience that the Examinations as at present arranged are a constantly recurring interruption of the work of instruction, and indeed for a considerable portion of the Academical year go far towards putting a stop to it entirely. I will briefly state what I think might be done as regards the three Examinations separately. I think an Examination for Responsions should be held every term as near to the end of it as possible, so that the work of that term might be available for it, and no time left for idleness when it is over. It would be no more trouble to examine three times a year than twice, and then (the number of men in each examination being smaller) there would be a shorter interval between the paper work and vivâ voce during which (trifling as the ordeal is) men's minds are thoroughly unsettled, and the time is thrown away. And I should recommend also the appointment of four

Masters of the Schools instead of three, dividing the same salary amongst them, in order that the Examination may go on in two divisions simultaneously, and be over in half the time. No honours being awarded in this Examination, it is clearly unimportant whether the men are examined collectively or distributed into successive parties. The case is different as regards Moderations, and I should be disposed to hold these at least for classmen once a year only in the following way. The passmen should be examined at the end of Lent term, taking just time enough to have the Examination over before Passion week, and while their vivâ voce is going on the classmen also should be employed about their paper work; and as there are seven examiners there would always be one at liberty to preside over this part of the examination. That being done, an adjournment should take place till the Monday after Easter-week, when the vivâ vice of the classmen should commence; the mathematical men being taken first as at present, that the Examination in that department might be got over in the same week. There would thus be no interruption of study during term, all the men of the year would be classed together, and a fortnight's vacation would be left untouched, during which the Examiners would be able to read the written papers at leisure, which is at present almost beyond their power. For the convenience of men who have been rejected and who would feel it as a great hardship to wait for a whole year, and for other cases I would propose another Examination (excluding Classmen) as near as possible to the end of Michaelmas term.

The same reasons might seem to recommend holding the final Examination once only in the year; but there are difficulties here owing to the necessity of passing in two schools; and the liberty conceded by the University of going into the second school whatever it may be, in the term subsequent to the Examination in *Litteris Humanioribus*. Now if there is only one Examination in the year, the Candidate who avails himself of this liberty will have to wait a whole year before his examination will be complete; and if an attempt is made to remedy this by placing the Examination in *Litteris Humanioribus* in one term, and those in the three other schools in the following, then what was intended as a liberty will become a necessity; for it will be impossible to be examined in both

*Rev. O.
Gordon.*

Rev. O. Gordon. schools in the same term, and men will be deprived of the option which they now possess, to the serious inconvenience of many to whom it is an object to pass both their examinations in the same term.

On these grounds therefore, I think no alteration should be made in the time of holding the second Examination, and it is the less necessary, because, being final, it is no interruption of the regular course of things, and so cannot cause anything like the inconveniences inseparable from the Moderations as at present ordered; but I recommend the other alterations to your notice as the fruit of much reflection, and some experience of the evils to which I have alluded.

XXII. XXIII. XXIV.

I am in favour of every thing being done to increase the utility of the Radcliffe and Bodleian Libraries; and with a view to this, I would place the management of them in the hands of a Committee of the most competent persons—though for reasons stated above where a similar recommendation was made, not necessarily consisting of Professors exclusively, nor in their official capacity.

XXV.

I think that the University should proceed with all expedition, in carrying out the design for a new Museum; that all its measures should be taken after due deliberation; that the best advice should be obtained; and the whole thing adapted to a scale worthy the magnitude of the University, and capable of an indefinite extension.

XXVI. XXVII. XXVIII. XXIX.

With all these recommendations I cordially agree, except that I should be sorry to see the University prevented from contributing to any object with which it has a natural sympathy. I think that its subscriptions have generally been of a character to do it honour, and such as no man can grudge, though when I see it brought as a charge against the University by one of her Graduates that it has contributed to the Wellington Memorial, I must be prepared to find other persons taking a totally different view of the subject.

In consideration of the remission of stamp duties on Matri-

culations and Degrees, it would be wise for the University to resign whatever it receives from the annual vote of Parliament.

*Rev. O.
Gordon.*

I have now gone through the Recommendations of Her Majesty's Commissioners as far as they relate to the University. It is impossible not to give them great praise for the industry they have displayed, and evident sincerity of purpose, and no one can read their Report without instruction. It has given me great pain to find I differ from them on several important points. I can only say that I have endeavoured to form an impartial estimate of every thing; that I have not condemned them in any thing without feeling conscious of my own fallibility, and that if my observations have run to an immoderate length, it has been from a desire to do them justice. And I have the honour to remain,

Mr. Vice-Chancellor and Gentlemen,

Your obedient Servant,

OSBORNE GORDON.

*Christ Church,
April 14, 1853.*

*From the Rev. Robert Hussey, B.D., Regius Professor
of Ecclesiastical History.*

COMMISSIONERS' REPORT.—RECOMMENDATIONS.

Clause I.—*That the University should receive an indemnification in case it has &c.*

SINCE it has not been shown that the University “*has exceeded its power in altering the Laudian Code,*” the University has no need of an indemnification, and ought not to apply for any; because by so applying it would seem to imply a presumption that it had “*exceeded its power.*” Rev. R.
Hussey.

The University has long exercised “*authority to make, abrogate, or alter Statutes.*” And therefore it does not want now to receive authority, as if it had none before.

Still less does the University want to have a new authority imposed on it, in the manner recommended in the concluding paragraph of Clause I. For, the “*exception of a few—Articles not to be altered without the consent of the Crown or some other superior authority,*” would subject the University to a new species of control. The University has not authority to go beyond its Charter, nor to act illegally. But within those limits it has the power of self-government, without being obliged to ask the consent of the Crown. Who or what the “*some other superior authority*” might be, does not appear. But it might easily become such as would materially interfere with the Charter and Liberties of the University.

II.—*That the right of initiating measures should be confided to a body &c.*

The plan recommended in No. II., to “*remodel*” the House of “*Congregation,*” is an ingenious as well as a bold idea, and deserves attention: but on consideration it seems open to great objections.

*Rev. R.
Hussey.*

It would make an entire change in the Constitution of that Body; which is at present a kind of standing Committee of Convocation, for dispatch of minor business, such as conferring Degrees, &c.; but which by this plan would become something like a *Third Estate* in the University, with a very ill defined position. As the "Regents," both Masters of Arts and Doctors, are omitted in the description of the "*remodelled*" House, it may be presumed that the plan intends to exclude them. There would then be a Body of about eighty, or little more, remaining: to whom these new deliberative and legislative functions would be confided. Was it intended that this Body should continue to discharge the present duties of Congregation by conferring Degrees? If so, the exclusion of the "Regents" might sometimes cause inconvenience, by requiring for those duties the attendance of other persons whose time would be fully occupied. But at all events, this "*remodelled body*" would be so different from *Congregation*, that it would have no right to that name, and might as well be called anything else.

Further, it is very doubtful how this Body would work, as a deliberative assembly for legislative purposes, which is the thing proposed. The history of such assemblies seems to prove, that they require frequent action, regular or periodical meetings, and continued sessions. These conditions are necessary, if business is to be done, both for the due consideration of the business itself; and also, that the members of the assembly may, with practice and experience, acquire the habit of calm debate and practical discussion for the despatch of business, according to order and under fixed rules. But this body, "*convened by the Vice-Chancellor to discuss measures, only on the written request, &c.*" would meet but seldom, and then on the most important and therefore the most exciting subjects; it would possess neither experience nor rules for conducting its debates; and it would be liable to all the inconveniences arising from these causes, which now attend the House of Convocation when called to decide upon questions of great interest; while the speaking in English would introduce some inconveniences which the Convocation escapes by using Latin only. For in an assembly meeting under such circumstances, speaking in English would be more likely to impede business

by too much discussion, than to promote it by the freedom of debate. *Rev. R. Hussey.*

When we come to examine the composition of this “*re-modelled body*,” and the powers proposed to be given to it, it is to be observed, that, First, It is to have the right of initiating measures independently of the Hebdomadal Board. Nothing is said of referring measures to that Board before proposing them to Convocation, nor is there any idea apparent, of concurrence or joint action between the two Assemblies, in preparing any measure for Convocation. The new body appears to be made quite independent of the Board. If so, it is self-evident that the new body would be the most active of the two : from its constitution, its numbers, and from its actually containing within itself the whole of the Hebdomadal Board, greatly outnumbered by the other members, it would not only be the more active, but would also, perhaps immediately, certainly in time, entirely supersede the Hebdomadal Board in the legislative function of introducing measures into Convocation. From that moment it would be found, that practically all the legislation of the University would be initiated by the “*remodelled body called Congregation.*”

Secondly, The Members of this body will be thus divided :

Heads of Colleges and Halls	24
Senior Tutors of ditto.	24
Proctors.....	2
Professors and Academical Teachers (i. e. Readers, <i>Prælectores</i> ,) at present about	30

Add to these the new Professors, whose appointment is recommended in Clauses XIV. and XLII. who, it should be observed, are all to be appointed by the Crown, Clause XVI. The whole number of Professors and Teachers might be calculated at about 40 ; if the phrase “*Academical Teachers*” be not extended so as to introduce a new class of subordinate Lecturers ; for the title is indefinite, and might be made to include a larger number. These, holding the balance between the equally divided parties of the Heads of Houses and the Senior Tutors, with a clear majority above each, would be able to carry most things their own way : and so would be found practically to govern the initiative in general in the measures brought into Convocation.

Rev. R. Hussey. This would be a revolution in the Constitution of the University.

But the "*Professors and Academical Teachers*" are by no means necessarily the fittest persons to be entrusted with a large share of legislative influence. Although they may be well informed on their own subjects, and able and efficient in teaching, they are not by virtue of their office practical clear-sighted men, able to govern, or to legislate for the University, nor necessarily acquainted with the working of the system in detail: and they are always liable to the error of overvaluing the importance of their own department. The Heads of Houses, as a body, are naturally more likely, from their acquaintance with the business of the University, and their deep interest in the moral and intellectual well being of its Members, within their own societies especially, to be able to judge of its real requirements, than the Professors, as a body. Some "*Professors and Teachers*" may be but slightly connected with the University, non-resident, absent for many years, deriving their knowledge of it from experience of what it was to them many years ago, and forming their judgments about it more from ideas of things without, than from a true insight into the University itself. Yet in the plan proposed, all such would have equal power in originating measures, with those who might be best informed and best able to judge of the real interests of the University.

The Report assumes that it is expedient to extend "*the right of initiating measures*," beyond what is at present exercised by the Board of Heads of Houses.

There seems to be good reason for thinking that *it is expedient*, if it could be done in a proper way. The plan recommended by the Commissioners would produce more evil than it would remedy.

A safer method would be, to appoint Delegacies. If Delegacies were nominated freely, to deliberate with the Board on every important measure to be brought into Convocation, it would expedite business, and prevent the chance of collision between the Board and Convocation. No measure should be brought into Convocation without the concurrence of the Delegacy. And there should be power given to the Delegacy to propose measures for initiation to the Board. So that nothing

could come into Convocation except by the cooperation and concurrence both of the Board and of the Delegacy. The Delegates might be chosen partly from the Professors. *Rev. R. Hussey.*

But further, with regard to the mode of appointment of this new Board, I am inclined to think that the principle of a Delegacy might be combined with the principle of Representation: that is to say, that a kind of permanent Delegacy might be formed, of Delegates nominated by the Vice-Chancellor and Proctors, and of Representatives elected and sent by the Colleges and Halls severally; who should sit together, and go out of office in rotation after a limited time. The Delegates and the Representatives should be approved by Convocation before they could become actual Members of the permanent Delegacy. And some regard might be had to the size of the College or Hall, that is, the number of Members of Convocation belonging to it, in determining the Cycle of rotation, according to which each College and Hall should elect and send Representatives to be Members of the Delegacy, and also the several Members should retire from office.

IV.—*That the Vice-Chancellor should be &c.*

There is little reason for proposing to make the Vice-Chancellor's appointment more absolute than it is already. No inconvenience has arisen, or, is likely to arise commonly, from asking the assent of Convocation to the Chancellor's nomination. But the asking might be a possible protection against a bad appointment in some extreme case. And therefore it ought to be retained as a remnant of Constitutional liberty.

But the Royal Commissioners seem every where in their Recommendations inclined to abridge the Constitutional liberty of the University.

V.—*That the tenure of the Proctor's Office should be &c.*

The changes proposed in the Proctor's Office would be the reverse of improvements. If it were extended to two years, College Tutors, who generally make the best Proctors, would find it very difficult to undertake it. Few of those who have discharged the duties of the office efficiently for one year even, would be willing to go through it again. Still less would they consent to double a period of two years' service. There-

Rev. R. Hussey. fore nothing would be gained by allowing the same person to be elected twice. Indeed it might be a question, whether a four years' tenure of this post would not *per se* tend to the relaxation of discipline, rather than to any improvement.

The limitations of standing laid down by the present Statute are well conceived. A Master of Arts under four years' standing would generally be too young, and over ten years' might be too old: for the office requires some activity and bodily strength. But there would be no harm in extending the latter term from ten to twelve years. And this would probably include every case in which it would be desirable to elect one who now might possibly be just excluded. The proposal to set aside the Cycle, and have the Proctors elected by Congregation, seems a strange one. The present arrangement has been acquiesced in with the best effect for many years; and College rivalry on this point is happily unknown. If there is, or is supposed to be, any inequality in the Cycle, that might easily be remedied: although in reality whatever there be of such a kind, it is trivial, and not felt by the University at large. But the proposal, to return to open elections of the Proctors, seems designed to invite the renewal of the dissensions and jealousies of former ages; and it is difficult to imagine any reason for it, unless it be to increase the power of the "*re-modelled*" Congregation.

The taking out of the Proctors' hands those appointments, viz. Examiners, &c., which are specified, would simply lower the dignity and importance of the office, which would be no improvement; especially while it is proposed at the same time to increase the burden by extending the duration of it. The office is at present so irksome and so inadequately remunerated to those who fulfil the duties of it conscientiously, that it would be unwise to diminish any of the inducements to accepting it, so long as they do not interfere with its efficiency. And these appointments have been apparently as well made by the Proctors, or so far as the Proctors have had any share in them, as they would have been by any other official persons whom the Commissioners might recommend to take their place.

The adjudging the Prizes is indeed a considerable addition to the labours of the Proctors; and not all Proctors are neces-

sarily well qualified judges. It might therefore be a good thing to provide for this, by allowing any Proctor who wished it to nominate a substitute for himself in this duty : to which substitute a small *Honorarium* in money should be paid.

*Rev. R.
Hussey.*

The "*Veto*" ought to be retained to the Proctors for the same reasons as the above-named appointments ; and also, because such a peculiar privilege (founded doubtless on past experience of its utility) would be so seldom used that it would not be felt to be an inconvenience, and might possibly be found to do important service in some peculiar case. The effect of using it would be, generally, to retard innovation and prevent hasty legislation in Convocation. The experience of the last twenty years might be adduced to confirm the opinion, that it would be used but seldom, and with a salutary effect.

With regard to the duration of the Proctor's office : if it be thought important, that both Proctors should not enter office together, because then both are novices in their duty ; that end might be gained, by making them enter at different times in the year ; one six months before the other. This idea is not new. It was suggested, for the object named, so long since (to my knowledge) as nearly thirty years ago.

VI.—*That the imposition of Promissory Oaths, &c.*

Promissory Oaths may well be dispensed with. For they are of questionable morality. They are imposed only where a previous obligation exists, as, the obligation to obey Statutes or other Rules : in which case the obligation is binding without the Oath. The effect of making the Oath besides may be, often, to induce men to overlook the previous obligation ; as if they were bound in conscience because they had sworn, and not because they were under obligation before by the conditions of the office or benefice &c., which they had accepted. Whereas in truth they have sworn because they were bound before ; and sworn merely to observe that to which they were already bound : and persons who would not be bound in conscience by a sense of their duty under the previous obligation, would hardly be restrained by the Oath. Promissory Oaths, so far as they are *promissory*, may be good when taken as acknowledgments of the previous obligation, that the person making it is bound. But then the *oath* is unnecessary. In

Rev. R. Hussey. general, a Declaration, or an Admonition from the authority who would impose, with an Acknowledgment or Promise of submission from the person who would make the Oath, would be as effectual as the Oath, and less liable to abuse or profanation.

VII.—*That all distinctions between Noblemen &c.*

The abolition of these distinctions would do harm in many ways, and good in few or none. They mark real differences in the positions of the respective parties, which will remain in after life: therefore they are *true*, and for this reason, if for no other, likely to be beneficial: since it is good for each to learn his true position in life. A man whose duties in after life should lie in a humble sphere, would not be benefited by living for a time on a footing of artificial equality with men much above him in rank. And a youth born to rank or wealth would not be injured by finding himself recognised as one of that class at the University. At the same time they are not insuperable barriers: for talents, virtues, or amiable qualities may and do unite men of very different ranks, in spite of external distinctions: neither do they hinder any of the benefits derived from bringing different ranks into collision and competition in the Lecture Rooms, Examinations, or College Exercises. These distinctions are a great help to discipline: in a large College, where there are several of each class, it is easier to keep order among the whole by having the classes separated, than it would be if all were under one management. *Divide et impera*, has been applied to this arrangement, as an explanation of the principle; and there is much truth in it. They are also a protection to the poorer class against expense. A Commoner is not "*expected to do*" what a Gentleman Commoner or Nobleman does: this distinction is well understood: and the Commoner is under so much less temptation to extravagance in many things. The poor man who would go beyond his means, to ape the style of the class above him, would only make himself ridiculous in the eyes of his companions. But on the other hand it would be obviously more difficult to inculcate on the poor scholar the *duty* of economy, and for him to practise it, if he were living under precisely the same system with the Nobleman or the *millionaire*, to whom what

would be extravagance in him, was innocent indulgence. There is nothing objectionable in allowing young men of the latter class to live in many respects in a style different from what poor men ought to have ; such as, to have a better table, better rooms, servants, or horses ; of course with consent of parents. The “Privilege” also which the Statutes permit to young men of noble birth, that they may proceed to their Degree something earlier than other persons, if they wish it, is perfectly reasonable, on the ground, that, from their position in life, other claims might sometimes interfere to curtail the time which in general would be well spent in Academical education. In proof of this, it will be enough to mention a single fact, which occurred some years ago ; that a young Nobleman was elected Member of Parliament for a county at the very time when he was passing through the B. A. Examination in the Schools. Therefore these distinctions are upon the whole beneficial, and ought not to be removed.

*Rev. R.
Hussey.*

There is however one particular in which a distinction is made where there is no difference, that is, in the charge for Tuition. The tuition of a Nobleman is no greater burden to the Tutor than that of a Commoner, neither does he receive more than the Commoner, if the Tutor does his duty ; for then the Tutor does all that he can for each. Therefore it does not seem reasonable that the Nobleman or Gentleman Commoner should pay his Tutor more than the Commoner does, or that the Tutor should be willing to accept more than he receives from the Commoner.

But upon this point it is to be observed, that the difference, the increase of the Nobleman's Tuition Fee beyond that which is charged for the Commoner, is a proof that *the latter is not enough*. If the ordinary charge for Tuition (for the Commoner) had been as large as it ought to be, it never would have been thought proper to increase the charge to the Gentleman Commoner and Nobleman. The truth is, that the most important work in the University, *the common Tuition, is at present very ill paid*^a, whether reckoned by its own value, or by comparison with other payments. And, if that extension of the University, which is now so much desired,

^a This is one potent cause among those which have produced the superabundance of private tuition.

Rev. R. Hussey. and which the University is so much bound to make, should happily be carried into effect, it will be found necessary, in whatever system should then be instituted, to *consider this point, and provide for it by a more liberal payment for Tuition* (always the least considerable item among College expenses). Otherwise the system *will languish for want of Tutors*, or be eaten up by expensive private tuition.

VIII.—*That in order to place some check on credit &c.*

This is very good: it recommends the only method by which any thing can be done effectually by Law or Statute to restrain Undergraduates from running into debt. There are three parties concerned in this case; the Undergraduate, the Tradesman, and the Parent or College Authority, who are here the same: of these the former two have a direct interest in keeping up the system of credit; and so long as this relation lasts, it will be fruitless for the third party to attempt to restrain credit by sumptuary or prohibitory laws: for the other two will unite to defeat all such regulations; as they have always done. The only effectual proceeding will be, to make it the Tradesman's interest not to give credit, by throwing the risk of the debt upon him. And nothing can be more equitable than the plan recommended, for it puts no restraint on the sale of his goods, but only requires him to send in his bills regularly; to which no fair-dealing tradesman could object. Indeed the most respectable tradesmen would rather rejoice to have such an authority as this would be, to help the system of cash payments.

IX.—*That for the recovery of debts &c.*

It is to be hoped that if any changes are made in the Vice-Chancellor's Court, there will at least be no increase in the cost of proceedings there.

X.—*That the provision of the Statutes, by which all Members, &c.*

In this Clause there are involved two important questions; first, the obvious one concerning the extension of the University: secondly, concerning the connection of the University with the Church of England. It is recommended, to admit "*Members of the University*" living "*in private lodgings*

without connection with a College or Hall." If this were all, there would be still many points to consider in it. But in order to estimate the probable effect of what is here proposed, we must examine it, not merely as it stands in this clause X, but taken in conjunction with other recommendations and opinions expressed by the Commissioners in their Report, which are closely connected with it. When these are all brought together, we shall have a sketch of what we may suppose was the idea of University Membership intended by the Commissioners when they made this tenth Recommendation. We find then, that

*Rev. R.
Hussey.*

- i. The present practice of subscribing the 39 Articles is condemned, and is to be removed. No other kind of test or security is proposed in the place of it. P. 55.

Therefore so far, persons of all creeds might be admitted.

- ii. By this Recommendation X, they might live as Members of the University unconnected with a College or Hall, and therefore unconnected with Chapel or Church.

Therefore, so far, there is no provision for religious worship, for educating Members in the use and practice of it, nor any security even for the outward profession of conformity with the doctrine and discipline of the Church of England.

- iii. It is proposed that in the final Examination for the B. A. Degree religious subjects shall be wholly excluded from three out of the four schools among which Candidates may make their choice. P. 72. The fourth school, which does include religious knowledge, is plainly designed for Candidates for Holy Orders only. Concerning the rest, it is proposed that all examination in religious subjects should cease after the intermediate Examination; in these words, "*Such an amount of knowledge of the rudiments of Religion as may be fairly expected from any person who has received an academical education, would be transferred from the final to the intermediate Examination.*" P. 72.

Therefore in the Commissioners' scheme this sentence last quoted is the whole and sole provision for educating all Members of the University in the true faith of Christ. Every thing beyond this is intended to be professional. They who aim at the clerical profession may, if they

Rev. R.
Hussey.

please, seek further knowledge in the "*Theological Faculty*," as they may think it useful for their profession. But the University education at its highest stage that is, in "*the Final Examination*," is to be "*emancipated completely from Classical and Theological studies as compulsory upon all*." P. 72. How much is to be comprehended in, "*such an amount of knowledge of the rudiments of Religion as may be fairly expected, &c.*," is nowhere expressly stated. But the wording of this clause is so cautiously negative, that it evidently can be interpreted in such a way as to mean very little indeed. Which meaning seems the more probable, from a comparison with the other phrase just quoted, adopted by the Commissioners, which represents the *Theological studies* as a *burden* upon the present Examination, from which it ought to be *freed*: for these "studies" go no further, than to require that amount of knowledge which every well-informed Christian ought to possess, of the doctrine and discipline of the Church of Christ. The inference therefore is, that "*such an amount of knowledge of the rudiments &c.*" was intended to mean something less. Certainly this clause offers no security whatever for educating men in the doctrine and discipline of the reformed Church of England.

iv. It is proposed, "*that Graduates should retain their University franchise, though they*" do "*not retain their connection with a College*." P. 45.

Therefore they who have the least connection with the University, and consequently the least knowledge of the actual state and wants of the University, and who contribute nothing to its support, will have equal power in every question which comes before Convocation, with those who best understand it and have the greatest interest in its welfare; as if this were in itself a good and desirable thing, and not rather an evil. And then, if those other recommendations which have been pointed out should take effect, and unattached Members should become numerous; these, who, (as it has been shown,) need not have any connection with the Church of England, voting equally with all other M.A.'s, might materially influence the decision of questions affecting the University in her relations to the Church of England.

All these four heads which have been noticed belong to the

general question of University extension, which is opened in Recommendation X, for they show in what direction it was designed to extend it. And after considering them all together, it appears that the particular mode there proposed, if all the other suggestions were adopted, would be the first step towards founding a system of education by the University unconnected with the Church of England.

*Rev. R.
Hussey.*

For indeed it is but too apparent that the effect of the scheme recommended by the Commissioners, if executed throughout, would be (whatever might have been intended,) to separate the University, as a place of education, from the Church of England; and therefore, by necessary consequence, from the profession of the Christian Faith. For the Christian Faith, in order to be taught, must be something definite; and that, *something definite*, can be in this place no other than what is held and taught in the Church of England. The University after the Commissioners' model, would be, an institution for teaching in various departments of knowledge, and rewarding proficiency by degrees and other honours, one of which departments should be Theology, which might be studied and rewarded in its turn with the rest. There would be nothing indeed to hinder any one from professing the Christian Faith if he liked it. But there would be no adequate provision for imparting Christian knowledge to all: Religious Knowledge, that is, of Revealed Truth, would not be made the foundation and first element of all knowledge: and there would be no guarantee at all that graduates (except in Theology) had, before receiving their degrees, made themselves acquainted with those things "which a Christian ought to know and believe to his soul's health;" in a word, that they were well informed, or even by profession, Christians.

To consent to this would be on the part of the University an abandonment of Christian duty. It is true that the palm for scientific and literary attainments might be awarded irrespective of religion. But as Christians possessing great opportunities for inculcating the knowledge of religion, we are not at liberty to forego these for the sake of any other object; and professing to educate men, we are bound to impart to them first of all, and more than all other things, the knowledge of salvation, and to see that they have acquired it, so far as this

Rev. R. Hussey. can be done by teaching, before we give them rank in our University, and send them forth to the world with certificates of our approval, by conferring regular Degrees. We are under an obligation higher than even the cultivation and diffusion of science, to Him whose name the University bears in her motto^b, to instruct men to be Christians. If we do not this, we fail in our first duty, and frustrate the principal purpose of the University's existence, however eminent we may be in all kinds of literature and science, and even "a great seat of learning."

To consent to this would be also a breach of trust towards all our founders, and a violation of the spirit, and in many particulars of the letter, of our Statutes. For unquestionably the University and all the Colleges were founded with a view to preserve and promote religion. All knowledge was intended to be laid on this foundation, and to conduce to this end. The Statutes every where imply, if they do not prescribe, that the whole Body of the University should be Christian, not in name only, but according to the definite standard of the English Church. As, for instance; it is ordered that every Term in the year shall be opened with the Litany and Communion of the Lord's Supper in the University Church; to which the Statute expressly invites^c all the "*melioris notæ Academicos frequentes adesse.*" In the earlier period of the University, before the Reformation, these things stood in many respects on a differing footing. But if it were imagined that greater freedom of study was allowed then, because tests and restrictions were not yet imposed, the error of this inference will be evident when it is remembered that the laws were then intolerant. When a man might be burnt as a heretic for heterodoxy in opinion, and the teaching of the University was in great part in the hands of the monastic orders, there was no need to require "Subscription," nor to enact by statute that religious knowledge should be indispensable for Graduates. The conclusion is, that the University and the Colleges have never recognised the principle, that knowledge is to be pursued for its own sake, knowledge in all its branches, of which Religion is (merely) one:

^b Dominus Illuminatio Mea.

^c Tit. i. §. 2.

but they have always maintained and acted upon the principle, that all knowledge is to be cultivated as subordinate and subsidiary to the knowledge of Him whom truly to know is eternal life through Jesus Christ. *Rev. R.
Hussey.*

To consent to this would be further a breach of confidence towards the nation in general. For beside that, when the University professes to give an education ("an University education") for a Degree, the country understands by it adequate instruction in the religion of the Church of England; there are also cases, in which an University Degree is made the qualification for holding offices, as that of schoolmaster, with the evident intention of thereby providing a security for orthodoxy and competent information in religion, as well as for other attainments.

For the above reasons the proposal to receive Members into the University unconnected with a College or Hall, seems in the present state of things to be a dangerous project, and on no account to be adopted.

But the other matters proposed in this Recommendation X are highly desirable. The object in view, namely, *the Extension of the University*, is so important in itself both to the University and to the Nation, it is so earnestly wished for and so eagerly pressed by numerous and influential persons, that it is not too much to say, it is now absolutely necessary.

It is indeed due from the University in simple justice. For, the University has not increased in capacity of receiving members in proportion to the increase of the population of the country, for many years. University education has risen in estimation, and attracted the youth of the higher and wealthier classes. These have in great degree monopolized the space which the Colleges could afford, and at the same time introduced a style of living, and established a *custom of the place*, fit only for persons in affluent, or at least easy, circumstances. By both causes poor men have been excluded from the benefits of the University: while the University itself has been benefited in several ways by the influx of the higher classes. Moreover the value of the property of the University and Colleges has increased, so that both public and private incomes are larger; and there are ampler means of extending the benefits of University education than formerly. The Univer-

Rev. R. Hussey. sity therefore seems bound to do something to meet the wants of the increasing numbers of the population; and especially to make more opening for those for whom a great part of its advantages were always intended, the youth of promise who have not at present the means of obtaining University education for themselves: not because they are poor merely, as objects of pity, nor yet as a different order, to be distinguished by badges, but because they show talent, or industry and willingness, and desire to improve themselves, and because they ought not to be shut out from advantages open to other persons, with whom they may perhaps compete successfully.

The University might be increased either by founding new Colleges or Halls, or by establishing licensed lodging houses for additional Members of those now existing. It is much to be wished that both these methods could be carried into execution: or either of them, if both could not. The latter is much the easiest, and could be accomplished at once if it were not prohibited by the "*Provision of the Statutes*" named in Recommendation X: which Provision operates effectually indeed to prevent the extension of the University; but is superfluous for purposes of discipline, inasmuch as there would be no real difficulty in putting licensed lodging houses under superintendence and control, which should be as efficient as within the walls of a College, by means of a resident Fellow or Graduate, and judicious regulations. This Provision therefore ought at once to be removed: and in place of it certain conditions should be prescribed, under which any College might obtain license for its members to lodge together in some suitable house.

XI.—*That there should be a public Examination for all young men before Matriculation.*

This would be better left to the Colleges to do for themselves: who are as much interested generally in getting good men for their Members, as the University is. A College which is not full may indeed admit with a low standard of qualification. And why should it not?—if it likes to take the trouble of managing such men. If they are incompetent, they die out at the first public Examination, and the University has suffered no loss. If they can pass the Examination, the Col-

lege has done good service by teaching them so much : and even if they should fail, they may still have obtained considerable benefit from the College which received them for a time. This Matriculation Examination is of too rigid and narrow a spirit for the University, which ought to be as liberal as it could be with prudence in admitting to the benefits of her teaching. It would operate very unequally, and might be cruelly exclusive upon those persons who have had few advantages at school, and are novices in such Examinations : and it would always be difficult to keep the standard of requirement low enough to be really just, considering the tendency of all Boards of Examiners to tighten their rules and work their subjects dry, especially when, as in this case, the subjects are very limited ; considering also, that what is required is not positive attainments, but only proper qualification for receiving instruction in the University. There is some danger too of our being overdone with Examinations just now : there may be difficulty and trouble in keeping up a supply of fit Examiners for the Matriculation Board in addition to all the others ; at least, more trouble than the thing is worth. And after all, there is no pressing call for it just now : it would be wiser not to attempt to change every thing at once. If such an Examination should be found to be wanted, it might be easily instituted at any time hereafter.

*Rev. R.
Hussey.*

XII.—*That during the latter part of the Academical Course, &c.*

They may be “ *left free* ” after they have taken the B. A. Degree. Before that they may be content to follow the course prescribed. This freedom “ *to devote themselves,* ” &c. means *freedom to give up* some other branches of study ; which it would be better to continue until the B. A. Degree is gained.

XIII.—*That the Professors should be distributed into four Boards, &c.*

If the studies are regulated by the Examinations and the Statutes, and if the Tutorial system of teaching remain in force, as it ought, there will be no need of Boards of Professors “ *for the regulation of studies :* ” they would have nothing to do beyond teaching in their own line. The *distribution* proposed would rather tend moreover to produce division and opposition between the several departments. But indeed this

Rev. R. Hussey. proposal, and several of the Recommendations which follow, are parts of a project very conspicuous in the ideas of the Commissioners; namely, to exalt all the Professors, and to put the government of the University in their hands, whether by “Boards” or in the “remodelled” Congregation: all which seems not likely to be an improvement. (XVI.) Recommendation XVI. proposes further, what would increase the influence of the Crown on this body, by giving the Crown the appointment to all new Chairs.

XVIII.—*That Professors and Lecturers should be allowed to receive Fees.*

The principle is quite right, and ought to be acted upon, whenever the case requires it. But the well endowed Professorships should be relieved from taking the Fee, and allowed to give Lectures gratis.

XXII.—*That the Bodleian Library should be placed under the management, &c.*

As the Professors may be supposed to possess the most knowledge of books, each in his own line, their several information might be useful for a library: and therefore it seems they might make a good Council to advise, and act under, the Curators and the Librarian. A Reading-room contiguous to the Library would be a practical difficulty, and would be far less agreeable than the Library. No one accustomed to read in the Bodleian Library would willingly exchange it for a Reading-room. But perhaps a room might be found in the neighbourhood, which might be kept open in the evenings: and if books were allowed to be taken from the Library *to this room only*, within a few steps distance, and there used at hours when the Library is shut, that arrangement might cut the knot of the great question about letting books be taken out of the Library.

The Radcliffe Library would supply such a room in perfection, so far as the qualifications of the building are regarded, if it could be made available. Perhaps a room in the Clarendon Building might be found and turned to account for this purpose.

Rev. R.
Hussey.

XXV.—*That the University should proceed with the plan, &c.*

A Great Museum would be an undertaking worthy of the University. But it is not our greatest want at present. If it were built now, we have not students to use it. Our first and greatest want is, *accommodation for more members*. Let us accomplish this first: when this is done, we shall have more use for a Museum, and better means of building it. Therefore it may wait a little.

XXVII.—*That the Table of Fees exacted, &c.*

By all means regulate the Fees in the manner here proposed, which is both equitable and politic.

XXVIII.—*That the funds at the disposal of the University, &c.*

This also is just and sound: and it would be good for the University to adopt it, provided that the said *funds* be liberally “applied to” *good* “University purposes,” and neither hoarded needlessly, nor lavished on unimportant things. Making *grants* of University money is perhaps but a spurious kind of charity. Let those who wish to vote it away thus, put their names at the head of a [subscription list for the object in view; and then possibly as much money may be raised, and it will be really the benevolence of the members of the University.

XXIX.—*That the Stamp duties levied, &c.*

These Stamp duties ought to be remitted. They are unworthy of the Government. And the Statute of Mortmain ought not to be allowed to impede the progress of the University in extending its means of usefulness. The Recommendations of the Commissioners on this head are very good.

XXXII.—*That persons elected to Fellowships should be released, &c.*

To remove all these restrictions, as here proposed, seems to be an unjustifiable interference with the intentions of Founders. It is something further also: it is one more^d of

^d See what was said above on Recommendation X.

*Rev. R.
Hussey.*

those measures of which, if carried out, the effect would be, (whatever might be intended by them,) to separate the University from the Church, and eventually from the expressed profession of the Christian Faith. For the number of persons in Holy Orders within the University, on the Foundations and in the governing part of it, is a considerable practical security for due attention being paid to religion, both in teaching it according to the discipline of the English Church, and in making it an essential part of the Examinations. And also the existence of this large body of Clergy, and the obligations of the College Statutes requiring so many men to enter Holy Orders, are a standing witness and proof that the Colleges were designed primarily and above all other objects for the study and the diffusion of religious truth, in connection with the English Church. Those persons who wish the University to be a scientific Lyceum governed by a literary aristocracy freely open to all competitors in the pursuit of every kind of knowledge, will naturally see in this constitution only the "*predominance*" of the clerical Order; and, with this view, may propose to have it removed, either as being a restraint upon the progress of free inquiry, or in order that other branches of study may have a larger share of the advantages belonging to places in the University. And the Commissioners plainly condemn the whole body of the Clergy, as less fit than other persons to have influence in the University. But if, as seems evident, the Foundations were with deliberate intention designed for the Clergy more than for others, as the most effectual means of furthering the main object of the Founders, sound Religion; to set aside the regulations on this head in the way proposed seems to be nothing less than alienating the Foundations from their original purpose.

Not that the Colleges, or the University, are therefore Ecclesiastical Corporations, because they are closely connected with the Church. Even the Monastic institutions of former ages were lay-corporations, not ecclesiastical, although entirely devoted to a religious object. And the University is a lay-

^e "*With the additional disadvantage, that consisting wholly of Clergymen, it is still more liable to be swayed by professional or party feeling.*" Report, p. 105.

corporation, not an ecclesiastical one: but it is a corporation of Members of the Church, founded on a profession of the Christianity of the Church, and containing necessarily a large proportion of Clergy within its Body. So that the admixture, or even preponderance, of Clergy in the several Foundations of the Colleges, accords with the original principles and immemorial practice of the University. For the University in many Customs and Statutes recognises and requires a large amount of the clerical order among her members. Thus, every Master of Arts is summoned, if ordained, to preach once in "His Turn" in the University pulpit; implying the presumption that commonly Masters of Arts would be capable of that office. The Proctors, who are Masters of Arts chosen by their own Colleges, are expected to officiate in the Litany at the opening of each Term; and the Vice-Chancellor and they together in the Holy Communion which follows. The Heads of Houses are appointed to preach to the University in rotation. These things would never have been, if the University were a great Corporate, Literary, and Scientific Association merely.

*Rev. R.
Hussey.*

The other part of the proposed release from restrictions on Fellowships, regarding the proceeding to Degrees, has indeed a certain plausibility from the present condition of those Degrees: they having become in most cases a mere form, the proceeding to them does not fulfil the purpose for which the obligation was imposed. This being admitted to be true, it would surely be better—as it certainly would be dealing more honestly with the intentions of those who laid on the obligation—to restore these Degrees to an efficient state; so that proceeding to them might answer the original purpose in the manner best adapted to the present time. The Commissioners seem indeed to have given up this point in despair. They say: "*After giving full consideration*" to several plans suggested, "*we have come to the conclusion that, so far at least as regards the Degrees in Theology, Law, and Medicine, it will be difficult to make them anything more than titles which designate the Academical standing of those who obtain them*." Yet it might have been imagined, that if equal ingenuity had been bestowed on this point for the restoration of the old prin-

^f Report, p. 84, 85.

Rev. R. Hussey. ciple, which we see applied on other points for the carrying out of new plans, some solution might have been found. The chief difficulty which is urged is, that no Examiners will be to be had who will refuse Degrees to unworthy candidates. This does not seem insuperable. There are certainly obvious objections to bringing up men of advanced age, as the candidates would often be, to face Boards of Examiners for a long examination; and there are still greater objections to such Boards, from the extreme difficulty of always providing fit persons for an office which would require not only considerable learning, but also great judgment, tact, and delicacy. But the ancient practice of the University avoids this difficulty, and makes the candidates in a manner examine themselves, by reading "Exercises;" which are subjected to the judgment not only of the Moderator, whoever he may be, as the official judge *e cathedra*, but also of all the hearers. It does not seem impracticable so to regulate the performance of these Exercises as to make them a real test of attainments, and an effectual instrument of excluding unfit persons. Degrees in Music are conferred *bona fide* by these means: the candidate's Exercise is judged by the Professor, and according to the merit of it the honour is awarded. The Examinations for Medical Degrees have been successfully revived also. The Professors of other departments might require exercises on a similar principle. Some might be composed at leisure by the Candidate, and sent in beforehand; some might be written *extempore*, on subjects given at the time, for this method might be used combined with the other, in order to prevent men from getting Exercises done for them: and also in some cases regard might be had partly to the character and established reputation of the Candidate, as, for instance, if he were the author of learned or able books; for this ought to give some title to University rank in favour of (ordinary) Members of the University, as well as in favour of a stranger to whom it may be wished to pay a compliment, which is often done. From such a person less of Examination need be required. If the Professors found that the labour of directing these Exercises, in choosing subjects, reading, hearing, and judging them, was too great, they might be allowed to nominate each his own Coadjutor for this work; who should be ap-

proved by Convocation, and receive some small salary from the University, or from the Fees of the Degrees: which arrangement, by the way, might sometimes be the means of bringing forward an able man in any department, under the Professor. In the Theological Faculty, in particular, it may be suggested that there is already a Board established for the Examination of Theological Students; which, if it were required, might, with some modifications, be made available for the Exercises for Theological Degrees. But, if so applied, it would be better to get rid of the Vice-Chancellor's Nominee; the Regius Professor of Divinity should nominate his own assistant for such a work.

*Rev. R.
Hussey.*

There seems to be nothing in a system of this kind, which it would be beyond the power of the Heads of the several faculties to administer, or which would require superhuman moral courage to enforce its decisions. Let it be remembered that the first object proposed, and practically at first the sole object, will be, to exclude the unworthy, to reject the man of no pretensions: for these it is who now disgrace our Degrees: and this ought not to be very difficult. The standard will rise soon enough in time.

The consideration of this question gives an occasion for a few words concerning the M. A. Degree also. The Commissioners in their Report propose to put an end to the customary three weeks' residence required between the B. A. and M. A. Degrees, p. 85. It is much to be regretted that the Commissioners have not turned their attention more to the means of making the ancient institutions of the University available for present good purposes, by restoring them to efficiency on something like their original principles.

The University has at command a machinery of incalculable power, existing at present in name and theory, but really dormant from disuse merely, waiting to be recalled into life and set in operation with certain effect at any moment. This is, the whole system of superior Degrees, to which the University might affix conditions, or impose regulations as it found it expedient, creating thereby an instantaneous demand for things which we have long endeavoured to draw attention to almost in vain; and yet we seem to be in some danger of

Rev. R. Hussey. having this system wholly or in great part swept away, to make room for new and untried schemes, founded apparently on principles anomalous, if not contrary, to our real principles. It would not be difficult to make the superior Degrees in many ways directly conduce to the promotion of those studies which it is now desired to encourage and extend. To do so would not only be making a good use of an engine which we actually possess but do not use at present, a much wiser course than to set them aside as obsolete forms and substitute new experiments; but it would also be no more than honest: because all must confess that University Degrees were intended to be a proof of attainments, and that to confer them as an honour or as giving rank, when they are mere titles, is an inconsistency which it would be well to remedy, if possible.

The residence of three weeks for the M. A. Degree might at once be turned to account, if every one who kept it were required to attend a course of Lectures then, and to produce a certificate of competent knowledge, as well as attendance from the Lecturer before he was admitted to the Degree. He might choose his own subject: and the Lecturer might employ the last day, i. e. hour, of his course in setting his hearers, who wished for a certificate, such a paper of questions to answer as would show that they had not been inattentive hearers. A little would be enough for the Lecturer to ascertain this.

Such a mode of employing the B. A.'s during the three weeks' residence would be beneficial to some, greatly beneficial compared with the complete idleness in which that time might be spent, and no hardship to any. It would help to supply Classes to some Lectures now too much neglected. And it would do something to take off the reproach, that University Degrees, after the first Degree, are empty forms.

In my opinion, *these two Measures* are now the most important to the University, viz. 1. *The extension of the University*, 2. *The restoration of the Superior Degrees*. If these were effected, *they would give the means of working out* most of the improvements required by the University. They are *Constitutional*, and *in the power of the University*: they are "building up," not "pulling down:" they are as capable of adaptation to the wants of the present day as any thing in the

University: and they would be no greater innovation than the *Examination Statute was for B. A. Degrees in 1807.* *Rev. R. Hussey.*

XXXIV.—*That no portion of the Funds of Colleges, &c.*

The effect of the prohibition against purchasing Livings, would be to diminish the inducement for Clergymen to be Fellows, and so it would tend to lessen their number in the University. Colleges ought to be left to manage their own Funds in this particular.

XXXVII.—*That for the election of Fellows, &c.*

“*That all elections should be determined by the merits of the Candidates, as tested by Examination,*” does not seem the best mode, absolutely, of appointing to Fellowships. Literary merit ought indeed always to be required: all the Candidates might be expected to be above par: but there are many considerations which ought to have weight, which an Examination would not test. The pecuniary circumstances ought by no means to be always overlooked. Poverty joined with merit establishes a comparative claim. A system which would make Fellowships objects of ambition as distinctions, coveted like prizes for the sake of the honour, without regard to the duties belonging to them or the purposes which they were designed to fulfil, is a direct abuse. It might often happen, that among several men of ability, the one who shone most in the examination might not be really the most eligible for a Fellow, on account of other qualifications, or points of character, beyond the reach of an Examination: and that too without taking into account social qualities, and assuming meanwhile that the moral character is the first requisition in all cases. Even the exigencies of the College might sometimes determine the election; as for instance, when a mathematical Tutor might be wanted for the work of the College: this is quite legitimate. The absolute-merit test (by Examination) too, is likely to foster self-conceit, both individually and collectively: and it has been observed, that where it has been adopted and acted upon, it has tended to produce all diversities of extreme opinions within the Body so composed. It is difficult, perhaps impossible, to lay down any positive rule for the

Rev. R. Hussey. election of Fellows in all cases, beyond this, that each Elector must consider himself bound in conscience to make his choice honestly, as a solemn duty in the sight of God, not for his own gratification, but to fulfill the obligations under which he is laid by his own position, and the purposes for which the foundation was designed into which he is about to elect a Member.

Having now submitted to your consideration the foregoing remarks, upon such of the Recommendations in the Royal Commissioners' Report as seemed most to require notice from me in particular, (without intending by silence on any of the other Recommendations to imply that I approve of them,) I wish further to make some observations on other matters contained in the Report, relating to two subjects; viz. first, my own Professorship; secondly, my own College.

1. On the first of these, I do not attach much importance to two slight oversights in the Report. The duties of the Professorship are described (see Appendix F. p. 60) to be, "*To lecture four days a week for six weeks in each Term.*" So it was by the first Statute, 1842: but this having been found inconvenient, it was altered in 1847 *to three days a week*: which is required now. Again, in the Report, p. 108, it is stated that the Professorship of Ecclesiastical History, among others, is endowed with an income somewhere between £850 and £1800 a year. The Professorship *will be* endowed in this manner, if no change takes place, in course of time: but hitherto the endowment has been and is only £300 a year, paid from the Funds of the University. These are merely inaccuracies of no great moment. But the opinion given about the Theological Studies of the University is more important.

In the Report, p. 73, it is said, "*An attempt was made to give reality to this Faculty (Theology) by a Statute passed in 1842, which proposed to establish Lectures and Examinations in Theology, for those who had already taken the Degree of B. A. This Statute contained some excellent provisions; but it has failed, as might have been foreseen.*"—the reasons assigned for the failure follow. The Examination certainly has failed: for scarcely any persons have ever offered themselves to be examined, not one for several years past. But if it be intended to say that therefore the Statute has failed, or that the Theo-

logical Studies introduced by it have failed, I protest against such an inference, which seems to me really absurd. The assertion has been made before: it was one among an infinity of delinquencies alleged against the University in a pamphlet[§] which was published before the Royal Commission came out. The inference seems to be grounded on the assumption, that the Examination is the end and object of the Studies; instead of being merely an accessory instrument for attaining the end, which might be reached, possibly better in some cases, without it. It was the opinion of many, at the time when the Statute passed, that the Examination was superfluous; because young men reading to prepare themselves for Holy Orders, and expecting soon to be examined by the Bishop for Ordination, would not require the stimulus of an Examination by a University Board; and would really read with more benefit to themselves without the fear of this intermediate ordeal. Such I confess has always been my opinion: and it is not weakened by experience. I believe that the system of Theological Study which has been carried on here since the Statute of 1842 was passed, has had already considerable effect in improving the training of Candidates for Holy Orders: although any real improvement in such a case must be gradual and slow. I think that many persons would acknowledge that they have been much benefited by the instruction and information which they gained by reading with the Theological Lectures here. But it is difficult to measure these effects; because they are diffused through great numbers who have been ordained since the Lectures began. It would however be premature to assert that no good effect has been produced, because it has not yet made itself visible all over the Church. And it seems absurd to say that this whole system of study is a failure, because it has not sent many men up to the Examination. For my own department I may say, that up to the present time I have had 497 Students reading with me, some for longer, some for shorter periods: and I cannot entertain so mean an opinion of them and the work which they did under me, as not to think that many will carry

*Rev. R.
Hussey.*

[§] Letter to Lord John Russell, published anonymously in 1850, afterwards acknowledged by Mr. Rowe of Pembroke College, p. 57.

Rev. R. Hussey. forth and have carried forth from the Lectures valuable information, and a very useful foundation for whatever further knowledge of their clerical duties they may be able to acquire in after life. Certainly some of them have told me that this was their own opinion.

With regard to Theological Examinations, directly or indirectly enforced, there is considerable difference of opinion, and many persons, whose judgment deserves respect, advocate them strongly. Nevertheless I must confess that I am not favourable to them for persons preparing to be Candidates for Holy Orders. I think that those persons might be induced to read by a higher motive: and that they would read better when so induced. Although Examinations would of course produce the immediate effect of a more rapid and visible acquisition of knowledge, they would in the end be likely to lower the quality of the knowledge, and thus degrade, instead of improving, the standard of qualifications for the Christian Ministry. If all papers of Questions for Theological Examinations are such as I have seen, a strange medley of various subjects great and small, the answering them might indeed be taken for a proof of efficient and successful "cramming," but would not tend much to make a man a good Divine or a good Clergyman. Young men reading for an Examination, especially if any distinction is to be awarded from it, are inevitably impelled by the inclination to "get up" the subjects for the sake of the Examination, and to think how they may best please the Examiners. But Theological Students ought to read for their own information on subjects of Theology, in such a way as to deepen and settle their convictions on these subjects, that is to say, on many points, indeed on all the greater Theological subjects, their *Religious* convictions: and to study these in order to "*get them up*" for an Examination, say, for instance, such a subject as the history of a controversy about the Vital Doctrines of the Christian Faith, would have rather an irreligious effect on the mind than otherwise: accustoming the student to the idea that the subject itself is unimportant and indifferent, and that the only thing of importance is, that he should know all that has been said and done about it.

Theological Examinations in the University may safely be confined to the Exercises for Theological Degrees, if these are only made into realities. Rev. R. Hussey.

The Theological Students, in addition to the motive which Preparation for Ordination supplies, would have stimulus enough to urge them to Theological Studies in the University, if the Bishops would allow some value to such attainments when the Candidates come before them. Not, of course, that the Bishops should dispense with other Examination, or forbear to satisfy themselves of each person's fitness; but that these attainments should have some weight, and be accepted as some qualification: and that the Candidates should not feel that much of their previous study had been fruitless labour, and only increased their risk of failing in some other requirement, which they might have omitted.

2. The Commissioners in that part of their Report which speaks of Christ Church, have said, that the "*Studentships are bestowed by the Deans and Canons in turn*" (with a few exceptions,) P. 234; which is true, although "*many exceptions*" would be more correct: and they have given their opinion, P. 234 and 176, that this is a bad mode of appointment, and ought to be changed. But I do not find any notice in the Report of a fact which deserves to be known, as indeed it is notorious to those who are well acquainted with the College, and which ought at least to be taken into account, in forming a judgment upon the working of the present system and the expediency of any change. For some years past it has been the practice for several Members of the Chapter (and occasionally the whole body by a Capitular Act) to bestow Studentships on Commoners selected from the College for good conduct and ability, and recommended by the Censors and other Tutors. Many of those who had gained Exhibitions in the College have been afterwards promoted to Studentships. Indeed it is not too much to say that the best of the Commoners have been generally drafted off in this manner: and that, of late years at least, any Commoner of eminent merit, by high character, ability, and attainments, was most likely to obtain a Studentship, by the time that he took the Degree of B.A., if not before. In proof of which I subjoin the names

Rev. R. Hussey. of Commoners who within the last 30 years have been made Students in this manner.

1823	Augustus Page Saunders	John Ernest Bode
	Frederick Calvert	John Adams
	Hon. John Talbot	Osborne Gordon
	Walter Kerr Hamilton	William Cotton
	Henry Denison	Charles Thomas Newton
	Charles Wordsworth	John Robert Cornish
	George Cornewall Lewis	Henry Wright Phillott
	Christopher W. Puller	William H. Ridley
	Benjamin Harrison	William Linwood
	Charles Baring	George Marshall
	William Ewart Gladstone	Edward R. Dukes
	Hon. Charles John Canning	Frederick W. H. Blaydes
	William Edward Jelf	Edward Kent Karslake
	Henry George Liddell	William E. Rawstorne
	Robert Scott	Edward Stokes
	Hon. James Bruce	Chichester S. Fortescue
	John Edward Bright	Herbert W. Fisher
	Edward Thornton	George W. Kitchin. 1846.
	George Benjamin Maule	

(Signed)

ROBERT HUSSEY, B.D.

Regius Professor of Ecclesiastical History,

Late Censor of Ch. Ch.

25, *Beaumont Street*, May 6, 1853.

*From the Rev. Rowland Muckleston, Tutor and Vice-
Provost of Worcester College.*

GENTLEMEN,—Having been invited amongst others to give an opinion with respect to the alterations proposed in the Report of the Commissioners for the University of Oxford, I will endeavour to do so to the best of my ability by briefly stating my own views upon the several points brought forward in the Schedule of Extracts, and by a few general remarks upon the tendency of the Commissioners' Scheme as a whole.

*Rev. R.
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RECOMMENDATION 1. This recommendation I think a good one: it is essential to the interests of the University that it should be as free and unfettered as possible, in order that it may be able to adopt measures suited to the change of times and circumstances; besides which, the legality of the Laudian Code is already a matter of much uncertainty, which ought to be cleared up in one way or another.

2. A reconstruction of the University in respect of its Governing Body seems to be imperatively called for. The restriction of the Initiative Power to the Heads of Houses, to the exclusion of Masters of Arts, is productive of pernicious consequences. Whether from fear of innovation in general, or from some other motive, the Hebdomadal Board has never, during my experience of the University, availed itself of its privileges to enter upon measures of important and comprehensive reform. At present the Board of Heads and the House of Convocation are placed in an antagonistic position with regard to each other, and the measures of the former are frequently rejected by the latter; which arises from the circumstance that the Heads of Colleges have taken no pains beforehand to ascertain the opinions of the Masters of Arts

*Rev. R.
Muckle-
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upon the subject. Sometimes Convocation throws out a measure which it approves of in general, on account of two or three objectionable clauses which it contains; again it is sometimes *surprised* into passing a measure by too short notice having been given of it: in short, the two legislative bodies do not seem to act together with cordiality and single-mindedness for the interests of the University, and the course of salutary reform is thus seriously impeded. These evils would be remedied by the addition of a certain number of M.A.'s, the practical working men of the University, to the Hebdomadal Board: on what principle or in what proportions such an addition should take place, requires much consideration. I do not approve of the suggestions of the Commissioners upon this subject: the number they propose to add is so great, that the influence of the Heads of Houses would be entirely neutralised, which is not desirable. The standing delegacy of Professors which they recommend is invested with such indefinite and extensive powers, that, like the Ephors at Sparta, the Tribunes at Rome, or the Council of Ten at Venice, it would override every other branch of the Academical Constitution. In fact, the Commissioners have availed themselves of the general dissatisfaction which prevails upon this subject to forward the darling object of their scheme,—a preposterous development of the Professorial system at the expense of that which exists at present. It might perhaps be advisable, instead of adding Masters of Arts at all, to make it compulsory upon the Board of Heads to bring measures before Convocation, on the requisition of a certain number, say one-third of the resident Masters. I think the necessity of speaking Latin in Convocation ought to be abolished; but if English be allowed, means should be taken to prevent discussions from proceeding to an inordinate length.

4. I think this alteration a good one, as it seems unreasonable that the Heads of Halls should be excluded, but some principle of rotation should be ensured to prevent the office of Vice-Chancellor from becoming a matter of private patronage.

5. The extension of the Tenure of the Proctorial Office to two years seems desirable: at present, a Proctor goes out of office when he has just learned his business; the limitation as to standing should be relaxed, but not abolished. The

Cycle should be remodelled upon some intelligible and equitable principle, but I should be unwilling to see an election by Convocation substituted for it. I doubt the propriety of taking from the Proctors the nomination to Examinerships, &c.; but I strongly approve the abolition of their power of Veto, which has been, and may again be, employed for the purposes of Religious partizanship.

*Rev. R.
Muckle-
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6. It appears highly desirable to do away with unnecessary oaths.

7. The distinctions between Noblemen, Gentlemen Commoners, and Commoners, are, in my opinion, beneficial, and ought to be retained. They are agreeable to the spirit of English institutions and the habits of English society; and their existence here prepares young men for that gradation of ranks which they will everywhere encounter in after-life. Moreover, Noblemen and Gentlemen Commoners are supposed to enter the University with considerable means, either in the way of actual possession or of liberal allowance. Thus an ore profuse expenditure on their parts is less injurious as an example, when they are recognised as a distinct class, than it would be if they were mixed up indiscriminately with the mass of their fellow-students. Many men too, from a wish to change their profession, come to Oxford at a somewhat advanced period of life: to these it is a great advantage to mix as fellow-commoners with their equals in age, in the society of the Senior Common Rooms. It is a great mistake to imagine that a Gentleman Commoner is necessarily idle or extravagant. Those who are so would most probably be so under any circumstances. In my own College, with respect to discipline, no distinction whatever is made between the fellow-Commoners and the other Undergraduates, either in theory or practice; and for many years the former have without exception set an excellent example in moral conduct, compliance with College regulations, and steady and industrious habits. Sometimes, from being older, and from possessing a more extended knowledge of the world, they have obtained considerable influence over their fellow-students; and this has invariably been exercised for good. I do not think that their personal expenses exceed those of the generality of Commoners, and their annual College payments are not materially greater.

Rev. R.
Muckle-
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8, 9. The recommendations 8 and 9 I believe to be judicious. It is surely a blot on the University that no effectual means have hitherto been employed to check the system of unlimited credit. There are, however, many practical difficulties connected with this subject, and it is doubtful whether much could be done, unless Parliament would consent to confer more summary powers on the University authorities. It should be remembered that no College or University rules can entirely control the private expenses of young men; and we undergo much obloquy for that which is really the fault of parents and guardians, who have neglected to inculcate lessons of self-restraint and economy.

10. In advocating the admission of students unconnected with any College or Hall, the Commissioners aim a deadly blow at the moral and religious well-being of the University. Of all the means suggested for extending education, they have selected the most objectionable. The arguments against such a measure are so manifold, that they cannot be enumerated in a brief statement of opinion like the present; but I think that they will occur spontaneously to the minds of all who are conversant with College life and the characters of young men. It would sweep away at once all those restraints by which the Collegiate system *does succeed to a great extent* in repressing idleness, extravagance, and immorality. The Report speaks indeed of the lodging-houses being placed under proper restrictions; but after a careful perusal, I find these restrictions to consist merely in a license from the Vice-Chancellor and the occasional visits of a supplementary Pro-Proctor. Neither is any provision made for religious training, devotional exercises, or moral superintendence. In short, a number of young men, fresh from school, at that period of life when the passions are strongest and the judgment weakest, would be turned loose upon the world with no one to watch, to guide, to warn, or to punish. Under such circumstances it would be a miracle if they did not fall into every excess. Nor would the moral evils thus produced be confined to the unattached students alone; they would prove a source of wide-spreading corruption within the Colleges themselves. Intimacies would be formed between the two classes; contamination would ensue, and freethinking views and laxity of principle would become

prevalent within the College walls. At present too an undergraduate is aware that if dismissed from his College for incurable idleness or immorality, it is in vain to seek admittance into any other society, and that his College and University career must terminate together: now the knowledge of this fact is a powerful auxiliary in the maintenance of discipline; whereas if an ill-disposed young man by quitting his College could obtain the opportunities of unproved and unlimited license, continuing to be a member of the University, and taking his degree in due course, it is plain that moral restraint and subordination within the Colleges would be empty names. These arguments derive additional force from the fact that six-eighths of the students are destined for Holy Orders. It is very doubtful whether the Economy on which the Report lays so much stress would be promoted by University Extension of this kind. In all well-managed Establishments the College expenses have been reduced to the lowest point. At my own College undergraduates have in some instances expended only £60 per annum. These are certainly exceptions, and the average is about £75 or £80. These sums comprehend board, room-rent, tuition, College and University dues, coals, servants, washing, in short all expenses which are not strictly private and personal: if these last be included, no father need allow his son more than £150 per annum. Perhaps something more may be needed if a private Tutor be employed, but numbers of those who read with private Tutors do so more from a sort of fashion, and from a want of self-reliance, than from the necessity of the case. If a young man comes up moderately well prepared, and avails himself of the College Lectures, he has no need whatever of a private Tutor for a common degree. I doubt much whether greater cheapness could be attained in private lodgings, but I firmly believe that for every one who would gain his degree a few pounds cheaper at least five would avail themselves of the absence of supervision thus obtained to plunge into ruinous extravagance and dissipation. The opening of Halls under individual Masters of Arts is less objectionable; but even this plan affords no good guarantee for the maintenance of discipline. These Halls would be opened by men of every variety of character; competition for students would arise; and en-

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deavours would be made to allure the gay and thoughtless by holding out to them an immunity from order and discipline.

17. I disapprove of a public examination for matriculation, which would be tantamount to excluding from the University a highly deserving body of men, who come up indifferent scholars, but by industry, perseverance, and determination of purpose succeed in passing respectably through their examinations, and obtain their degree. I have known numerous cases of this kind. Such men however would shrink from the uncompromising ordeal of a University Examination upon entrance, and if they attempted, it would most probably fail; whereas in a College allowance can be made for the known peculiarities of their circumstances. A public examination at entrance would cause society to lose the services of this class of men in their different professions in after life. I believe too that the entrance examination in most Colleges is sufficiently strict; in my own it consists of one Greek and one Latin author, translation from English into Latin prose, and a paper of arithmetical questions. In these such proficiency is expected as will enable the candidate to attend the College Lectures with profit when he comes into residence the next term. Moreover the University, by fixing so early a period for the Responsions, has already provided to a certain extent against the admission of unqualified members.

The Propositions from 12 to 18 inclusive are parts of the Commissioners' main scheme for sacrificing the Tutorial System to the Professorial; a scheme which involves a change from catechetical teaching to oral lectures; which abolishes moral superintendence in furtherance of objects merely intellectual; which is un-English in its principle, and which would I believe fail in accomplishing its avowed purpose, the advancement of knowledge. The proposal can only have arisen from exaggerated and Utopian notions with respect to the energy, industry, and love of learning of the undergraduate members of the University: it supposes that they will voluntarily do all in their power to prepare themselves for and co-operate with the Professor; whereas, in their case, the most effectual method of conveying knowledge is compulsory attendance at Lecture, previous preparation ascertained by question and answer, assiduous attempts to supply individual defi-

ciency by elementary instruction, above all, personal advice and direction. These advantages are found in the Tutor's Lecture-room rather than the Professor's. The Commissioners' plan seems calculated to produce a generation of Sciologists, possessing a more extended range of information, but without depth on any subject. It is acted upon abroad, but examples from thence do not tell in its favour. I should be loath to grant that our own undergraduates are inferior to those of foreign Universities in general knowledge; and they certainly surpass them in manners, morals, and classical attainments; and go forth into the world better subjects and more valuable members of society. It is true that Oxford does not at present afford sufficient means of education for the legal and medical professions: I think this might be best remedied by the establishment of distinct institutions, where the students might cultivate these branches of knowledge exclusively, under proper tuition, and (as in the Medical School at King's College, London) with a due regard to theological teaching and religious ordinances. The funds for such institutions might be obtained by general subscription, or by Government assistance, or by borrowing: most likely they would soon become self-supporting, and probably would ere long be endowed by private bequests. Lastly, I think that the means by which the Commissioners would provide for their Professorial oligarchy involve an unscrupulous and immoral misappropriation of College funds.

*Rev. R.
Muckle-
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Extracts from 19 to 30 inclusive refer to matters of internal arrangement; and the changes they propose appear desirable, with the exception of 28, which would deprive the University of the power of making charitable donations. With respect to 20, I think that the Christmas and Easter vacations might fairly be given up to Examinations, but that the Long vacation should not be encroached upon.

Extracts from 31 to 45 inclusive relate directly or indirectly to the avowed object of making Colleges more efficient by opening Fellowships, amalgamating foundations, &c. Such a measure might conduce to the advancement of learning; but can it be carried through without an infringement of public justice, of the rights of property, and of the good faith due to testamentary bequests? To decide this properly one should be a jurist, but *prima facie* it would seem to be impossible.

*Rev. R.
Muckle-
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Again, would it be for the advantage of young men themselves, or for that of society in general, that their attention should be diverted from the profession which must after all form the main business of their lives, by the necessity of preparing for Examination after Examination, of *cramming* for a Scholarship, for the Schools, for a Fellowship? Or would it benefit their moral nature to be occupied during the best years of their lives in bracing themselves up for encounter after encounter with intellectual competition, and to exist in an atmosphere of academic rivalry? I cannot think so. At all events it should be left optional with the Colleges to have it so or not. It is not necessarily conducive to idleness when Scholarships lead to Fellowships according to seniority, and without further examination. Practically this is the case in my own College (Worcester). A form indeed of Examination is kept up on admission to a Fellowship; and undoubtedly an idle or dissipated Scholar, although senior, would be rejected for one of an opposite character; but I remember no instance in which the rule of seniority has been departed from. Yet of the last eleven scholars who have taken their degrees on Dr. Clarke's foundation, on which the Scholarships are open though the Fellowships are not, one has taken a double First Class, six single Firsts in Classics, three seconds in Classics, and one a third. On the Eaton foundation, which is confined to clergymen's sons, the proportion of honours has been nearly as large. This shews that our Scholars have been impartially elected according to merit; and moreover that they have not relaxed their efforts on obtaining their Scholarships.

Some advantages might accrue from amalgamating the different foundations in a College, but it would also give rise to great hardship and injustice. At Worcester College an Act of Parliament was obtained some years ago for doing this, and it took place accordingly in respect of three of the foundations; the fourth being somewhat richer than the others, held aloof, and was excluded from the arrangement. Shortly afterwards the founder's will on that foundation was contested, and much of the property was lost; so that it became far poorer than the others. Now to restore this foundation to its original position at the expense of the others, would be manifest injustice. Many similar cases may exist in other Colleges.

The Commissioners appear to approach most nearly to the

absurd, when they recommend that the Heads of Colleges should be elected from the Masters of Arts at large. This is Free Trade in Academic honours and emoluments with a vengeance! On this principle a man might be placed at the head of a society of which he is entirely ignorant in regard to the character of the Fellows, the nature and management of its property, and its general requirements. It is true that such cases might rarely occur, but the possibility of their occurrence ought not to exist.

*Rev. R.
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The scheme of the Commissioners is such as might have been expected from a body of talented and energetic men, notoriously hostile to the existing order of things, and whose sober judgment and moral perceptions have been warped and obscured by the spirit of partizanship. They have succeeded in collecting a mass of most valuable evidence illustrative of the studies, discipline, and revenues of the University. They have digested and arranged this in a most lucid and masterly manner; many of their recommendations, taken separately, are highly useful in their tendency; but their plan as a whole is erroneous in its main principle, and fraught with peril to the University and the Church. It might have emanated from a delegacy of Professors of Heidelberg or Bonn, for the benefit of Young Germany; or it might have been framed by D'Alembert, Diderot, and the Encyclopædists of the last century, as a model of education for regenerated France.

The Commissioners have detected, with discernment, the faults of our present System; but the remedies they propose are so violent, that they would produce far greater evil than the disease itself. Thus, for instance, the University requires Extension; but the measure they suggest for this purpose is subversive of order and discipline, and incompatible with moral and Religious training. The Initiative body should be reconstructed; but in effecting this they strip the Heads of Houses of all real deliberative power. The Professorships must be rendered more efficient; and for this end they advocate an unscrupulous Confiscation of College Property, and invest the Professors with such extensive powers as would reduce to a mere cipher every other part of the Academical System. One of the worst features in the Report is its *centralising*

*Rev. R.
Muckle-
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tendency ; which is directly opposed to the spirit of English Institutions, and which, if fully developed, would paralyze independent exertion, and place the course of Oxford education in the hands of the latitudinarian or perhaps infidel Minister of the day. This principle the Commissioners do not think proper to profess openly, but it is traceable in their wish to increase the Visitation powers, and to make the Visitors themselves responsible to the Crown ; in their proposal to vest the appointment to new Professorships in the Crown ; above all, in the audacity with which they would apply the College funds to purposes of state expediency. In a word, instead of severing the useless and decayed branches of the Academical Tree, they have laid the axe to its root, and endeavoured to plant another in its place, unsuited to the soil and climate, and which has produced bitter and unhealthy fruit in other lands. The objects in question may be attained without overthrowing the fundamentals of our Constitution, and without further interference on the part of Parliament than an Enabling Act. The Collegiate System is by no means perfect, nor has it been so fruitful as might be wished : but it has already effected much good ; it is capable of effecting more ; it affords the surest method for sound Christian Education, and is altogether too valuable to be sacrificed to a spurious liberalism. It is yet in the power of the Heads of Houses to refuse the evil and to choose the good ; but if they would satisfy public opinion, which at length speaks to them in language not to be mistaken, their legislation must be more earnest and more comprehensive than heretofore. Unless a broad measure of reform be introduced, which, while it retains our present System as a basis, modifies and extends it so as to meet the change of times and circumstances, it is to be feared that Parliament will take matters into its own hands, and that some worse thing will befall themselves, the Colleges, and the University.

I am, Gentlemen,

Your obedient Servant,

ROWLAND MUCKLESTON,

Tutor and Vice-Provost of Worcester College.

From the Rev. Frederick Meyrick, M.A., Fellow, Junior Bursar, and Assistant-Tutor of Trinity College.

THERE are five points which have for a length of time been occupying the minds of many of the Masters of Arts in Oxford, and which have been brought to a head by the Report of the Oxford University Commission, and specially by Forty-seven Recommendations, in the consideration of which the Committee of the Board have invited the cooperation of the Masters. These are—

Rev. F. Meyrick

Five main questions.

I. University Extension.

II. University Government.

III. University Studies.

IV. University Revenues.

V. Such Collegiate questions as are at the same time University questions.

I. On the first of these I do not intend to enlarge, as my sentiments are, upon the whole, expressed by a pamphlet already sent in to the Committee, purporting to have been drawn up by a committee of the Tutors' Association. I will only add to the remarks and suggestions there made, some reasons for disapproving of the scheme of unconnected University students, which the Royal Commissioners have selected for their special approbation. The grounds of my objections, expressed as shortly as possible, are as follows:

University Extension.

The Discipline of the University and the proposal of the Commissioners are incompatible: one or other must be given up. The compilers of the Report have felt the difficulty, and have occupied several pages in attempting to prove the contrary. Their argument is twofold: i. That the morality which at present exist, is not such as would be deterio-

Unattached Students inconsistent with the Discipline of the University.

Rev. F. Meyrick.

rated. ii. That the University Students whom they propose would be adequately superintended for all moral and religious purposes. The first of these propositions may clearly be argued for in two ways: either the present state of morality is low, and then it *could* not be made much worse, or it is high, and then it *would* not be made much worse. To prove that it is low, they quote the evidence of a Professor whose words on this subject have been repudiated as soon as heard by the common voice of Oxford: to prove that it is high, they adduce their own experience. Having thus gained these two starting points, they found upon them the following dilemma:

Argument of the Commissioners drawn from the present state of morality.

"If, as is the opinion of those whose words we have just quoted, great and general immorality prevails in despite of College Discipline, it will hardly be supposed that danger is to be apprehended from the class of students which we propose to admit: if, as we believe, the majority of young men at present live honestly and soberly, though they have abundant time and opportunity for the practice of vice, the University need not be afraid to try the experiment of admitting young men who, though they would in some respects have more liberty, would have much less means at their command for indulging in vicious practices."^a To this it may be answered—

Reply.

(1.) That if "great and general immorality prevails," it is the part of true Reformers to recommend that Discipline should rather be increased than diminished, but that if the tone of morality is high, it is the part of wisdom to keep up the present system of Discipline without impairing it, until it shall have been demonstrated that the said Discipline is not the cause of the high tone of morality.

(2.) The argument supposes that either our Students are so bad that they cannot be made worse, or so good that they will not be made worse. The whole intermediate class is overlooked and ignored, though it is necessarily far the most numerous, and consists of those for whom the restraints of discipline are specially needed.

(3.) The first antecedent, that "great and general immorality prevails," is untrue, or the Commissioners' statement, that "the young men are but a small minority who flagrantly transgress the bounds of moral rectitude" in "their general conduct," is

^a Report, p. 52.

false: the second antecedent, that "the majority of young men at present live honestly and soberly," is true, but the implied consequent, that Unattached Students will do the like, does not follow from it. It is a simple assumption of the point which has to be proved, and does not establish even a mere probability, unless it be made out that with reference to living morally the Unattached Students and the "young men at present" are in like case.

(4.) The clause introduced for the purpose of making out this like case, "they have abundant time and opportunity for the practice of vice," does not make it out, because the question is not, whether or no College Students have abundant time and opportunity for vice, but whether there are not some special safe-guards and restraints in their case, which the Unattached Students would be without. These are enumerated in pp. 20, 21 of the Report, viz. Indirect Discipline administered by the Head, Vice-gerent, Dean and Tutors; the restraint of intramural residence and closed gates at night; the restraint of College Lectures, and, when enforced, Hall dinner; admonitions before the Head and Fellows; punishments, such as literary impositions, fines, confinement within the walls of the College, rustication, removal and expulsion; together with another, which is strangely enough not referred to at all under the head of College discipline, although the most effectual means of promoting the same both directly and indirectly, and that to which the Commissioners for the University of Cambridge have given the first place, viz. College Chapel.

*Rev. F
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Special re-
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(5.) The conclusion of the sentence acknowledges that they would have "more liberty." Now it is remarkable that at p. 22, in the enumeration of the evils attendant on Collegiate life, the first place is given to "the amount of individual freedom, which opens great facilities for idleness, extravagance, and dissipation." Is the evil of "freedom" to be cured by giving "more liberty?"

(6.) But it is further suggested that the danger of increased liberty would be counterbalanced by the less means of the Students. I am at a loss to know on what arguments the connection between less means and greater morality can be founded. Experience has shewn that it is as easy for men to

*Rev. F.
Meyrick.*

Less means
and greater
morality not
necessarily
connected
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effect.

sink themselves in dissipation and vice, by what can be cheaply obtained as by that which is dear. Experience has shewn that it is often the men with least means who run into debt and extravagant courses most. Reason would teach that young men with the same passions were open to the same temptations, whether living on 100*l.* or 200*l.* a year. It is probable indeed that vicious practices will be more gross or more refined, according as those who indulge in them are richer or poorer; it is not probable that they will differ in any other respect whether as to quality or frequency. But what I wish principally to point out is, that this introduction of a poorer class of Students strikes at the root of what a few lines above we are told is the real cause of Oxford's high tone of morality, and which we might rely on for the virtuous living of Students, even if all restraints were removed. It was necessary for the Commissioners' theory that it should not be the Collegiate system which produces the morality which they acknowledge to exist. Consequently it is thrown back upon the previous training of the Students: "Sprung from the most virtuous classes of society and often coming from clerical homes, they are to a considerable extent under the influence of the principles in which they have been reared. Many may be deterred from vicious practices, mainly by fear of detection and its consequences, yet we are convinced, that even if all restraints were removed, a large proportion of the Students would live virtuously^b." But *these* Students would not be sprung from the same class nor have been reared in the same principles; consequently, however strong may be the private convictions of the Commissioners, they have at least shewn no cause why *upon these grounds, these Students* should live virtuously, whatever a large proportion of the Students in general might do: and yet it is mainly upon these grounds that we are bid to put away alarm on this head. In making these remarks I must guard myself from being misunderstood as deprecating the admission of a lower class. On the contrary, I am most earn-

^b Report, p. 52. A "*large proportion*" is a sufficiently vague term. The whole question is, whether that proportion shall be greater or smaller. Are those "*many*," whose moral principles are yet weak, to be disregarded because there are *others* who will "live virtuously?"

estly anxious to see the sons of farmers, shop-keepers, and mechanics receiving their education at Oxford, but I would put them under some discipline, such as that of a college, a Hall, or Master's House. *Rev. F. Meyrick*

(7.) It is assumed, not proved, that the Students would be, for any length of time, a poorer class. On the contrary, I am convinced that the greater "liberty" would tempt richer men to adopt the same mode of life; and what had been allowed to one, could not be denied to another. The Collegiate Discipline would be also destroyed so soon as those subject to it could leave its restraints behind them, and become Unattached Students.

ii. The control suggested by the Commissioners is (a) the regulation of Lodging Houses, the impracticability of which has been shewn by anticipation by Archbishop Whately in his Evidence, and which, it may be added, would go far towards taking away the otherwise faint hope of cheapness of rent, and (β) the special superintendence of "Guardians;" which has not been, like the other, dealt with by anticipation, because it was not likely that any one should have anticipated such a scheme. The serious proposal of exercising "due moral and religious control" over Students living in lodgings, (and often, if they are to be cheap lodgings, in parts of the town most liable to temptation,) by means of the visits of "Guardians," living apart from them, and from time to time making calls upon them, appears to exhibit either an ignorance of what "due moral and religious control" is, or a secret disregard for it. It is further to be observed, that the stipend of the "Guardian" having to be made up by payments from his wards, would still more add to the expenses of the latter.

As to these Students being "as much amenable to University Discipline as any others in the place," and the proposal of consequently increasing the number of Pro-Proctors for their benefit, the statement is only correct in sound, and the proposed measure would have little or no effect; for it is acknowledged on all hands that the Proctorial Discipline can only be efficiently carried out by and with the co-operation of the Collegiate Authorities, who, with reference to the Unattached Students, have no existence. And again, though "the temptations in the streets of Oxford are less com-

Argument of the Commissioners drawn from the "due moral and religious control" to which Unattached Students would be subject. Futility of such a scheme of control.

Proctorial Discipline.

Rev. F. Meyrick. mon than in cities where no such discipline exists," still the temptations are in the houses, if not (as they too often are) in the streets. Nor must it be forgotten that in some of the smaller German towns, where the system of living in lodgings is pursued, the University has the right of taking away the causes of such temptation—in plain words, the prostitutes—by forcible removal from the place; and that in the larger towns and cities, where this is impossible, a demoralizing laxity prevails, from which it is the boast of Oxford to be as yet free^c.

Absence of
Collegiate
mechanical
restraints.

Neither is it the whole truth to say, that "these Students need not be exposed to such temptations more than the Members of Colleges." Temptations, the same in themselves, are greater or less according as the persons subject to them have more or fewer controlling restraints. The restraints to which a Member of a College is subject have been mentioned above. One hears some of them depreciated as being of a mechanical nature. For example, it is argued that it is of little use to prevent persons going out of College after 9.15, if they can go out at 9.5. But this is a misapprehension of the nature of the discipline which it is possible to exercise upon young men of the age of Oxford students. If they are wilfully determined upon vice at the age of 18 or 20 nothing will prevent them from practising it. Those whom discipline can protect, are, not these utterly perverted ones, but the enormously large class which will not go to seek temptation, but will fall if temptation comes in their way. There is a greater difference than can be told between having deliberately to go out in quest of profligacy at a certain hour in the evening, at which time the temptation may not be upon the man, and having the means for it close at the door and ready at hand. It is emphatically remarked by Archbishop Whately, that "lodgers are always waited on by the servant-girls of the house;" and "That a proper discipline should be

^c It is not much more than a hundred years ago since a fine of twenty-five gulden was ordained by authority as a sufficient punishment for Students at Altorf when discovered in the commission of acts of the grossest immorality—discovered not by vigilance on the part of the University, but by suits carried on in courts of law by the injured parties.

maintained among the lodgers must depend on the *care, integrity*, and *good sense* of the lodging-house keepers: and how can we expect to find these qualities united in an indefinite number of persons in rather humble life, and of whose own early education we know nothing^d?"

Rev. F. Meyrick.

But the greater part of Collegiate restraints are not, like the gate and the hall, mechanical—not that restraints are useless because mechanical—they are most of them moral, and therefore cannot be measured by line and compass, consisting as they do of the constant and daily intercourse of Tutor and Pupil—of the working of mind upon mind—of the in part unconsciously felt influence of example, reproof, and punishment—of attendance upon the Chapel services and the observation of common regulations, enforced not by a dead rule, but by the living mouth and authority of the Dean and other officers of the College^e. And should it be urged, as it is urged, that the effect

Absence of Collegiate moral restraints.

^d Evidence, p. 26. To the same effect Dr. Philpott, Master of St. Catharine's Hall Cambridge, in his Evidence to the University Commission: "Students residing in lodgings are not unfrequently exposed to temptation from the character of the servants employed in them, more than students in College: for the same control cannot be exercised over the appointment of servants in lodging-houses which can be held over College servants." Evidence, p. 185. I believe this to be a matter which requires strict investigation in Oxford.

^e I find the following sentence in the Report, p. 21. "The whole time, from two in the afternoon till midnight, is every day left at the disposal of the Undergraduate." I know not one College of which this assertion is true. In respect to a man who lives quietly and studiously it is correct; And who would wish that it should be otherwise than it is? If he keeps regular hours of himself, what necessity for interference? But with respect to irregular men it is incorrect, as far at least as my experience goes. I do not refer to the mere difference between midnight and eleven o'clock, though that is something; but I repeat, I know no College so lax in its discipline as to allow an irregular Undergraduate to dispose of his time as he pleases between those two hours. The exact time of the entrance of each Undergraduate after nine o'clock, is notified to the Dean or other authorities of the College. I would ask then, at what College the Dean is so wholly neglectful of his duties, as to permit a man to come in commonly, much less every day, shortly before midnight? Is there a single College at which such an Undergraduate would not receive a summons from the Dean and a reproof from his lips, followed, if disregarded, by some kind of corrective discipline, such as a "Common Room," i. e. an arraignment before Head and Fellows, preliminary, if need were, to rustication, removal,

*Rev. F.
Meyrick.*

of College discipline is not felt as it ought to be felt, Dr. Johnson has supplied the answer. "There are excellent rules of discipline in every College. That the rules may be sometimes ill-observed may be true, but is nothing against the system. The members of an University may, for a season, be unmindful of their duty. I am arguing for the excellency of the institution ^e."

In place of the mechanical restraints of the College, the unattached student has only his lodging-house keeper's regulations; in place of the moral restraints of the College, he has nothing but the influence of his visiting "guardian." Temptations therefore, the same in themselves, would be much stronger to the student than to the collegian. The streets of London, or any other town, are abstractedly the same to all comers. To one young man they are harmless—to another, although of the same strength or weakness of moral principle, they are ruin. Why? Because the first is hedged about with adequate controlling restraints; and to the second such restraints are wanting. The whole matter cannot be better summed up than in Mr. Temple's words: "The difference between rendering vice easy or hard of access is immense. It is a duty to protect the weak by putting barriers in the way to evil. This plan would" (comparatively speaking) "throw all barriers down^f."

Argument of the Commissioners drawn from the examples of Scotland, Ireland, and Cambridge—such examples partly inapplicable, partly leading to the opposite conclusion to that for which they were cited.

When the Commissioners descend from theory to experience, they are not happy—they appeal to Cambridge, Dublin, and the Scottish Universities. The last of these cannot be quoted as an example in this respect to Oxford, partly because the general age of the students in the two places differs so widely, partly because it is there seen that, although many do, as was to be expected, "live virtuously," there are also many who do not, who probably would have done so, had they had the advantage of the restraints of Colleges or Halls. The second is not applicable, because, says Abp. Whately, no domestic control is attempted in the case of such students, their conduct being left to their relatives, as in day-boys at a school. Instruction therefore, not education, is alone given. In the first the Commissioners for Cambridge University have recommended the

or other punishment? As a universal statement therefore the proposition is incorrect, as a particular it is not open to objection.

^e Boswell's Life of Johnson, vol. I. p. 40.

^f Evidence, p. 126.

system of Affiliated Halls in place of that of Lodgings in the town, owing to the evil results of which the latter is productive; and on the question of admission of students not attached to any College or Hall express themselves as follows: "This question has received our careful consideration, and we are of opinion that it would not be expedient to adopt any change of that nature in the present system of the University. It appears to us, that one of the most striking and valuable characteristics of our English Universities is to be found in the domestic system of their education, by which habits of order and moral control are most satisfactorily obtained. The two systems of Collegiate and Unattached students seem to us to be hardly compatible with one another: at least we cannot doubt that great difficulties would be experienced in blending them harmoniously together, if the class of students not affiliated to some Collegiate body were recognised, and afterwards received any considerable accession of numbers. We come therefore to the conclusion, that the extension of the benefits of the University, so as to embrace a larger number of students than at present exists, and more proportionate to the great increase of our population and national wealth, must be sought in a corresponding growth of our Collegiate system, and in such improvements of the existing foundations as may render them more generally accessible, and more practically useful &c."

It should be observed, that objections on the score of discipline would cease in the case of elderly and of married men. I see no objection, on this head, to *their* becoming University students. The result probably would be greatly advantageous to private Tutors. The expectation of the Professor, who argues most earnestly in favour of the general admission of such students, because "small payments made by a number of such students would provide an income for the Professor," does not seem founded in probability. They would require special drilling in special books for special examinations; and, not having College Tutors, would necessarily have recourse to Private Tutors, whom however the Commissioners profess to look upon as an evil, the necessity of which ought to be superseded by better public Tuition.

Rev. F. Meyrick.

Elderly and married men as University Students.

*Rev. F.
Meyrick.*

Argument of
the Commis-
sioners drawn
from expense.
Inconclusive
character of
their reason-
ing.

The great argument used for the Unattached University students is, of course, that of expense. It is said that they would be able to live much more cheaply than students in Colleges or in Halls. Instances are given of a pupil of Mr. Brunel, who lived "at Chalvey, near Slough," during the construction of the Windsor branch of the Great Western Railway, in "two very good rooms," at 8*s.* per week, and provided "very plentifully and liberally" with dinners at 10*d.* per day, his other expenses being about 2*s.* 2*d.* per week. And to this example is appended the remark, that at this rate, adding 2*s.* a-week for washing, the yearly board, lodging, and washing of a student would be only 24*l.* As an isolated fact, this is interesting, as well as that there was a young man who lived on meal only at Aberdeen, and spent but 4*l.* 17*s.* in five months, on food, fuel, candles, and lodging. But there is no similarity in the cases; they are simply not to the purpose. If food and lodging were as cheap at Oxford as at Aberdeen, or if an Oxford student could live "at Chalvey, near Slough," he might live, like Mr. Brunel's pupil, for 18*s.* a week; and indeed the expenses of Oxford students in Long Vacation parties in Wales are often at present very little higher; but lodgings are not at Oxford to be had at this rate. At present two ordinarily good rooms cost from 20*s.* to 15*s.* a week, whereas to members of Colleges the cost of lodging is upon an average from 9*s.* to 8*s.* a week. Nor can food be obtained at Oxford at the same price as at "Chalvey, near Slough."

College life
cheaper than
solitary life,
though dearer
than life in
Halls.

But further than this, I do not believe that it would be possible for a student leading a solitary life to procure the necessities of existence so cheaply as it is now possible to do in some Colleges. Low Battells at Christ Church are beneath 60*l.* a year; at Jesus College the lowest in 1849 were 49*l.* 19*s.* Let it be remembered that this includes lodging and tuition as well as board. Deduct 16*l.* 16*s.*, which was the sum paid for tuition, against which must be set fees for Professors, "Guardians," and additional Private Tutors, and the whole sum for board and lodging is but 33*l.* 3*s.* I do not believe it possible that such expense could be lowered in the person of one leading a solitary life. On the contrary, I feel convinced that it must be higher. But, it is said, there are only here and there students who will keep

their Battells as low as they can, in Colleges. So too there would be but few of the University Students who would keep their expenses as low as they could—there is nothing to make them do so, whereas in the system of Halls, the expenses of all the students must be uniform; nor would there be any room for private extravagance in the way of wine-parties, breakfasts, &c. It is in these that the great expensiveness of Oxford consists, and to the restraint of them that we must look for a remedy of the evil. Thus, and thus only, it will be that Halls and Masters' Houses will be considerably cheaper than Colleges.

Rev. F. Meyrick.

Indirect expenditure the real cause of the expensiveness of Oxford—to be checked by the regulations of Halls.

On the positive side, I have little to add to the pamphlet above referred to, except to express my hope that all the four schemes there recommended may be adopted, and especially the plan of Affiliated Halls, which appears to me at once the most feasible and the best. Should the plan of permitting Masters to open their houses for pupils be tried, and should many such houses spring into existence, I think that, according to a suggestion which I have heard made by an eminent member of the Tutors' Association, there should be nominated by the Chancellor a Head, who should rank in all respects equally with the other Heads of Houses, towards whom the Masters and their pupils should stand, so far as might be, in the same relation as the Tutors and Undergraduates do towards their President or Provost.

Positive side of the University Extension question.

In a word, University Extension is, in my opinion, both desirable and even absolutely necessary. I think that it should be carried out by the following methods: (1) by Affiliated Halls, (2) by Independent Halls, (3) by allowing members of Colleges to live together in a house near the College under the care of a Tutor or other fit person, (4) by allowing Masters to open houses. But the one method selected for the greatest approbation by the Commissioners I think highly undesirable and objectionable, because it is not compatible with proper discipline, nor consequently with moral and religious superintendence; because it is not in accordance with the spirit of the English Universities, and has worked very badly in foreign Universities; because the so-called education imparted to the University Students would not be education but at most instruction; because the cheapness for the sake of which it is suggested is unattainable by it, but while it fails in

Summary.

Rev. F. Meyrick. its own end, the attempt to realize the scheme at all would depreciate and corrupt the existing system of Education in the University.

Defect in the present system of University Government. Proposal of the Commissioners.

II. *University Government.*—I agree with the Commissioners in thinking that on this head some change is required. I differ from them in the method which they recommend. The element represented by the Hebdomadal Board has I conceive encroached too much upon the element represented by the House of Convocation. The balance must be restored. Now the obvious way of doing this is by increasing the powers of the Masters. This way however is not that which the Commissioners have recommended. They prefer calling in a third power. For while they leave the House of Convocation as it is, with its power of Veto and no more, their “remodelled” House of Congregation, which is to be allowed the power of initiation, contains an absolute majority of Professors and Public Lecturers over the twenty-four Heads of Houses, the twenty-four Tutors, and the two Proctors combined: all new Professors are to be nominated by the Crown, that is, by the Prime Minister, the representative of the House of Commons; while those who are at present nominated by the House of Convocation are to be henceforth nominated by the House of Congregation itself. Plainly therefore the third party which the Commissioners would call in is Government influence.

Objections to the Commissioners' proposal.

I hold their scheme to be most objectionable, (1) because a third power is thus called in and the independence of Oxford endangered, (2) because the voice of the Masters is not set free nor their power increased but rather diminished, the very Proctors being made nominees and deprived of their power of Veto, (3) because the proposed House of Congregation is a close Oligarchy, consisting wholly of nominees or *ex officio* members, while it professes to recognise the principle of Representation, (4) because it is an unreality, being brought forward under an old title as something ancient “remodelled,” whereas it is an institution essentially novel.

§ The Professors and Public Lecturers, it appears, are to play the part of the Knights and the First Class in the Servian Constitution, and judiciously annihilate the power of all the other Classes by outweighing them by one or two votes.

What should be substituted in its place to remedy the evil which I, with them, acknowledge, is a difficult question. If the Hebdomadal Board is to remain as at present constituted, and to retain the power of initiation, I would propose that it should be under these conditions. (a) That it should be bound to initiate when required so to do in writing by a definite number of resident Masters. (b) That the House of Convocation should have not only the right of Veto or acceptance, but also full powers of amendment, after due notice given. (c) That for legislative purposes the House of Convocation should be considered to consist only of resident Masters, non-residents only voting in elections for Chancellor and Burgesses, and such Professors and others whom at present they have the right of electing.

Rev. F. Meyrick.

Proposed plan on the supposition of retaining the Hebdomadal Board as at present constituted.

There are objections to this plan, I am aware, the most formidable of which is that it acknowledges the necessity of the Masters having at least an *in terrorem* power of requiring the probouleutic body to initiate. I admit that this is an evil, but I believe that the existence of the power would prevent the need of its frequent exertion, and I think it better than either on the one hand indiscriminate initiation in the House of Convocation, leading to constant legislation which we do not need, or on the other the present possibility of disregarding the wishes of the Masters.

Objections to this plan.

It appears to me to have many advantages. It is a reform of what exists, not a sweeping away of present materials for a new creation. It is the smallest change possible to effect the object, and therefore, if it does effect it, the best. It preserves the ancient traditions and the principle of continuance inviolate. And yet the real power of legislating for the University is placed in the resident Masters' hands whenever there is a strong enough feeling abroad to make any considerable number of them require it.

Its advantages.

The way in which it would work would be the following: There arises a feeling among the resident Tutors and Masters that a Professorship (say) of Latin is required: a certain number of them confer together, and sign a paper to this effect, which they forward to the Vice-Chancellor. The Vice-Chancellor brings their representation before the Board at its next session. The Board deliberate on the subject, and conclude either in

Its operation.

Rev. F. Meyrick. the affirmative or the negative. If in the affirmative, they propose to Convocation that a Professorship of Latin be established: if in the negative, they bring before Convocation the question whether or no it shall be established, adding, that their own judgment is on the other side. A day is then fixed for the settlement of the question, not earlier than a fortnight from this promulgation. In the first week of this fortnight one of the Masters of Arts who made the representation sends in writing to the Vice-Chancellor an amendment, proposing the establishment of the Professorship, which amendment the Vice-Chancellor causes to be printed and circulated in the same manner as other public notices on the day following its reception. On the appointed day the debate ensues. If the majority of the Masters present decide in adopting the proposal, the Proctors at once proceed to nominate a Delegation to settle details, and carry out the wishes of Convocation.

Other plans. I am aware that there are other plans abroad, such as working the present system by means of Delegacies, or by forming a new Hebdomadal Board by representation. Either of these schemes would be, I conceive, though not the best, yet better than our present system, and far better than that which is proposed by the Commissioners.

The two plans proposed by the Tutors' Association. Of the two plans about to be recommended by the Tutors' Association I greatly prefer the first, which suggests that the Initiative Board shall henceforth consist of twelve representatives chosen by the Heads of Houses and twelve chosen by the other resident Members of Convocation in addition to the Vice-Chancellor and Proctors. I think the proportions here laid down are more fair towards those who at present have the exclusive right of sitting at the Board than those suggested in the second plan. But my objections to this second plan are more than such as refer to mere numbers. It proposes that the Board should consist of nine Delegates chosen by the Heads of Colleges and Halls, nine chosen by the Resident Professors, the Examiners and Moderators, and nine by the Tutors and other Resident Members of Convocation. Now I hold it to be both more *reasonable* and more *desirable* that Resident Convocation should be the electing body for all those Members who are not Heads of Houses, than that Professors and Examiners should elect half of them

Self-election of the Professors, as recommended in the second plan, not reasonable:

and Resident Convocation the other. It is more *reasonable*, *Rev. F. Meyrick.* because the Professors never have been placed as a class by themselves, have no machinery for elections, and are merely a subdivision of the Masters. If the Professors elect themselves, surely in like manner the Tutors ought to elect themselves, and the Masters alone ought to be elected by Convocation. According to no logical principle can the University be divided into the three classes of Heads, Professors, Masters; the true division, as it practically at present exists, is Heads and Masters, the last class including under it both Tutors and Professors. Either then, both the subdivisions ought to elect their representatives, in which case that subdivision of the Masters which consists of those who are neither Tutors nor Professors must also have their representatives elected by themselves, or the whole class of Masters, i. e. Resident Convocation, must elect all its representatives without being broken up into sections. Thus it would be reasonable, though undesirable, that the Heads, the Professors, the Tutors, the other Masters, should all four elect their several Representatives: it is unreasonable that the Professors should elect theirs, while neither the Tutors, as such, nor the Masters, as distinguished from the Tutors and Professors, do so.

Neither is it more *desirable* than *reasonable*, for ;

Nor desirable.

a. Any proposal is highly to be deprecated which has the tendency of erecting the Professors into a caste by themselves separate from the other Masters. But this proposal has a most direct tendency to that result. The isolation of the Hebdomadal Board has been felt very keenly, and is expressed with truth and propriety by the same report. But two evil things do not make one good one. It will be strange if we thus sever the links which bind the Masters and Professors together at the same moment that we are complaining of the Hebdomadal Board because its members are in this state of separation.

a. Isolation of Professors.

b. Besides isolating them, it gives too much power and influence into the hands of the Professors. Because the Commissioners propose to give them an absolute predominance, it does not become us to give them a preponderance which would be yet undue. The Resident Professors are at present about twenty, and the number of the Examiners, classed with them, is also about twenty, five of whom are however themselves Pro-

b. Undue preponderance of Professors.

Rev. F. Meyrick. Professors. The Examiners are a constantly changing body, the Professors permanent, a fact which of course greatly increases the power of the latter relatively to the former. Now why should these forty or rather thirty-five M. A.'s have one-third of the legislative power of Oxford put suddenly into their hands, when they have hitherto had neither place nor influence as such in University matters? The proportion seems too great.^b I would not therefore bind Resident Convocation to elect so many from one class and so many from the other, neither more nor less, but leave its choice unfettered in respect to the relative numbers. That very many Professors would be thus elected I am persuaded. Some of our present Professors would be the very first Delegates elected by the Masters, but I should prefer that they should sit as Delegates of the Masters, not as Delegates of the Professors, and that their number, as compared with the other subdivision of the same class of M.A.'s, should be decided by their personal fitness, not by a rigid rule.

*c. Not equally
productive of
Harmony.*

c. One of the great objects professed by the Report is to bring about Harmony of cooperation between the Initiative Board and Convocation. This would clearly be better effected by the election of all the members of the Initiative Board, who are not Heads, being in the hands of Resident Convocation, than only that of half of them.

*d. Dangerous,
it may be, to
the independ-
ence of the
University.*

d. We do not yet know how future Professors may be appointed, or how many they may be. It is quite possible that if the mode of appointment recommended by the Commissioners be adopted, they may become a body, whose representatives, elected by themselves, we might not, for the sake of Oxford's independence, desire to see in the *penetralia* of her Legislative Board, and there entrusted with a third share of power. At the same time we are quite sure that there always will be many among them whom Convocation might select with the greatest advantage.

I have urged this point the more, because I think it the blot

^b In Cambridge the Professors are, generally speaking, appointed from within, and have for a long time formed a much more substantive part of the University than at Oxford. Yet at Cambridge, in the new Council, formed by the University, and commended by the Commissioners, the Delegates of the Professors hold, not a third, but a fifth of the seats, while the Delegates of the Colleges as such hold two-fifths. The Board consists of three Delegates of the Heads, three of the Doctors, three of the Professors, and six of the Colleges. Report, p. 14.

in a Report, of which on the whole I approve, as proposing a scheme which, in one of its forms, I should be well satisfied to see adopted by the University.

Rev. F. Meyrick.

III. *University Studies.*—After having briefly expressed my hope, that the new System of Examinations may be allowed time to root itself firmly without further change, inasmuch as we are not yet in a position to decide for or against its advantages, I will divide what I have to say on this subject into two heads: i. The Professorial and Tutorial Systems. ii. The nomination of Examiners.

University Studies.

1. Professorial and Tutorial Systems.
2. Examiners.

i. The Commissioners imply, that in recommending the Professorial System as they do, they are representing the general feeling in Oxford. This I maintain to be incorrect. That the Tutorial system should be helped out by the Professorial, is, I believe, a feeling not only general, but universal; but that it should be practically superseded by it, which, if the Commissioners' Recommendations were acted upon, would infallibly be the case, is the desire of none but a very small party in Oxford. But it may be said that the Commissioners draw their conclusions from the Evidence that has come in to them. This Evidence, so far as the University is concerned, consists of the suggestions of 54 out of more than 3000 Masters of Arts; and it is observable that of these 54, no less than 21 are, or have been, Professors. It is natural, therefore, that Recommendations in favour of the Professoriate should abound in such Evidence. Of these 54 witnesses, 25 only are Residents. Nor are they a fair sample of the other Graduates. On the contrary, it is confessedly the case, that the two largest of the three parties into which Oxford is at present divided, were, not, it is true, altogether, but yet for the most part, precluded by scruples with regard to the legality of the Commission, and distaste with regard to the circumstances connected with its origin and constitution, from co-operating with the Commissioners. Nor indeed was cooperation asked, except from certain officials, (who, with the exception of the Professors themselves, almost universally declined,) and from such M.A.'s as the Commissioners thought fit to select. Such witnesses must not be taken, as a body, to represent the general feeling of Oxford.

Professorial System.
Value of the Commissioners' Evidence on this point.

*Rev. F.
Meyrick.*

Oxford under
the new sys-
tem.

1. Professors.

It would be well to realize to ourselves what would be the state of new Oxford, should the Professoriate "thrive" in the manner contemplated by the Commissioners. We must picture to ourselves then from 30 to 50 Professors distributed into four Boards: the Board of Theology, the Board of Mental Philosophy and Philology, the Board of Jurisprudence and Modern History, and the Board of Mathematical and Physical Science. These are to be the great men of Oxford, the sole directors of her Studies, the absolutely preponderating element in her Legislative and Executive Body, and her intellectual stars. They are each to have at least 800*l.* per annum, besides what they can make by fees from their pupils; to be married men, with, if they please, students living in their houses; while some retain all the rights of Fellows as well in particular Colleges; and finally, the majority of them is to be nominated by the Crown.

2. Sub-Pro-
fessors or U-
niversity Lec-
turers.

Next in order of importance, influence and wealth, (putting aside the Heads of Houses, who, so far as the University is concerned, are only to exist as the hoary relics of a by-gone system,) come the Assistant Professors or University Lecturers. How many there should be does not appear, but probably about 20 or 30. They are to hold a middle position between the great men, the Professors, and the diminished 'Tutors; so much superior to the latter, that the Lectureships are to be to them objects of ambition and incentives to industry. They are to be married men, without any restriction with regard to Holy Orders and property, although retaining their Fellowships in whatever Colleges they may be.ⁱ Their nomination having at first been entrusted to the Crown, is afterwards to be vested in the Professorial Boards. These two classes, with the Heads, will become the permanent Residents and Directors of Oxford.

3. Tutors.
Apparently
to be super-
seded by Uni-
versity
Teachers.

Third comes the class of Tutors whose aim it is to be, to mount by the step of Lectureships to the richly endowed Professorships, and who may meantime employ themselves in preparing young men when they first come to College for the

ⁱ This is no part of the proposal of the Cambridge Commissioners on this head. On the contrary, in the case of a person at once a Fellow and a Public Lecturer, they consider that marriage or the infringement of the condition of Holy Orders would as a matter of course vacate the Fellowship, though not interfering with the Lectureship. Report, p. 83.

superior handling of the Lecturers and Professors, and retailing to them truths learnt from the latter. Of course it is not to be expected that men of ability should acquiesce in thus filling a position which seems to answer in a manner to that of nursery governess in families. Nor is it necessary. The Lectureship system is capable of indefinite extension, and thus a means is suggested, whereby, for the present Tutorial and Collegiate System of Education, there may be unostentatiously substituted the Professorial and University system. I do not say that it is proposed with this purpose; but that such a result might well follow, cannot, I think, be doubted. The history of Leipzig University, and the process by which it passed to its present form, is well worth the study of the Fellows and Tutors of Oxford.

*Rev. F.
Meyrick.*

Leipzig had its Colleges of Tutors and its Private Halls.—Leipzig had its Convocation—*Consilium Nationale*—and its Hebdomadal Board—*Consilium Rectorale*. It had originally its four Nations, with the right of independently electing their own Rector and Pro-Rectors. To the Nations succeeded after a time, as in other Universities, the Faculties, with their own “Comitia” and a power “of making Statutes for themselves,” together with the privilege of Examination and of granting Degrees. During the 16th century the Discipline of the Colleges and Halls became lax; and the Professors, who were paid large salaries by the University, became men of eminence. The thirty years war impoverished the Fellows and Tutors of the Colleges, who derived scarcely any income from their landed property or from government, while the Professors were “thriving,” the confiscated property of convents having been principally applied to their payment. There necessarily ensued a superiority on the part of the Professorial Teachers over the Collegiate Tutors. After the war, a reform and readjustment of the whole University took place at the hands of a Government Commission. And now, to use the words of my informant, “the old buildings of the Colleges are made use of as the official residence of the Professors. The Revenues of the University are entirely controlled by the Minister of Public Instruction. The Nations have entirely disappeared; so have the Halls. The Faculties exist, but consist only of salaried Professors. Masters have no share in the University at all. The Faculties also are only

Warning to
be taken from
the fate of
of Leipzig
University.

Rev. F. Meyrick. invested with formal power; they form a *Senatus Academicus*, and elect a Rector from their own body; they examine and have the right of granting Academical Degrees. Discipline and finances are in the hands of Government." Thus it appears, that, partly owing to accidental circumstances, partly to the natural working out of effect from cause, Colleges and Halls, Tutors and Masters, Nations and Faculties, Rector and Pro-Rectors, Hebdomadal Board and Convocation, have been alike swallowed up by Professors; self-government has passed away, and the University has become a State Department. *Absit omen!*

And now for a few words on the two systems, as distinguished from each other, and as combined together.

Distinction
between a
Professor and
a Tutor.

What is a Professor as distinguished from a Tutor? The answer is given differently. The most common reply is that the Professor only lectures on one subject, and the Tutor on a multitude. Such a definition will not however hold, because Tutors do in some Colleges confine themselves to a particular subject and yet are not Professors. Again it is said that the Professor lectures on a subject, the Tutor in certain books. Again the same objection holds, many Tutors do the like. Nor can any distinction be drawn from the size of the classes of auditors. But there are two characteristics of a Professor which he does not share with a Tutor. These are, (1) he is totally, as such, disconnected from any College, and he stands in no other relation to his pupils than that of intellectual Teacher; (2) the pupil's mind is in the Professorial Lecture passive, standing as it were empty for so much to be poured into it as the Lecture of the Professor can give, while in the Tutorial Lecture the intellectual energy is kept on the alert and in activity (granting in both cases a willing mind) by means of question and answer, and direct personal application and probing.

Superiority of
the Tutor in
the first char-
acteristic.

On which side lies the advantage in both these cases? Assuredly on the Tutorial: for, as to the first point, it is a most advantageous thing that a young man should receive his religious teaching and moral control from the same person to whom he looks up as his Intellectual Master. This effectually hinders the spirit of contempt with which young men are apt to look upon those whose office it is to have a care for their moral welfare; and further, it is highly desirable for the

Teacher himself, that the moral superintendence should be entrusted to him, in order that it may give a tone to his theological teaching. *Rev. F. Meyrick.*

On the second head I need not enlarge, as it has been argued ably and incontrovertibly by Mr. Mark Pattison in his evidence to Her Majesty's Commissioners. *And in the second.*

What then are the advantages of Professors? I conceive the following. 1. Professors being few in number and selected from a larger body are likely to be abler men than the Tutors who are many and selected from a smaller body. 2. Professors being less employed, and being not kept down by the deficiencies of their pupils, may be supposed to be likely to follow up the examination of subjects more closely, to raise the standard of knowledge, and to publish works of usefulness in their particular branch of study. 3. Professorships may serve as the rewards of literary merit and the means of retaining learned men in Oxford throughout their lives. *Advantages of Professorships with respect to 1. the ability of their holders, 2. their prosecution of Study, 3. as rewards of merit.*

These are quite sufficient reasons for the existence of a Professoriate coordinately with the Tutorial system; but still, on looking closely, there are objections even to these advantages; e. g. 1. Although it is true that the one or two Professors will be superior to any average specimen of the ten or twenty Tutors, still it does not follow that the student will gain more from him on that account, owing to the greater number of the Professor's hearers, and the impossibility of each individual having his own special difficulties solved by him. Moreover it should not be forgotten that there is a security in the multitude of counsellors which there is not in the few. Under the present system party principles could not be forced upon Oxford, and inculcated upon the youth of England, but, under another system, let us suppose the existence of a desire to give a tone to Oxford teaching, let us suppose a Prime Minister and Government (not a case impossible to occur) wedded to certain theories in politics and theology, this Prime Minister and Government may have in their hands the appointment of Oxford's teachers. Again, putting aside this contingency, one active Professor under the new system, with a perverted view on some chief point of morality, such as e. g. the nature of moral obligation, would do more evil during his lifetime than could accrue from the mistakes or shortcomings of many Tutors under the present system. *Objections connected with advantage 1.*

*Rev. F.
Meyrick.*

Objections
connected
with advan-
tage 2.

Tutors and
Professors
compared
with respect
to "drud-
gery."

2. It is said that Tutors are "drudges." Now inasmuch as in England every one who acquits himself creditably in any office, or distinguishes himself in any profession, is a "drudge;" since the Prime Minister, the parish clergyman, and the merchant are alike "drudges," there must be some special meaning in the outcry against the "drudgery" of College Tutors. I presume that what lies at the bottom of it is the objection that they are so occupied with teaching that they have not time for studying. But it must be recollected that they have half of the year in which they have not to "drudge;" a thing which can be said of few others: and if, as is the case, Tutors do in general overwork themselves, both with regard to the number of their lectures, and the variety of their subjects, surely the remedy for this is a larger staff of Tutors, and better arrangement of books and subjects among themselves, not the overthrow of the whole system. Further, will not Professors too be "drudges?" Most assuredly, if they do their duty, and all the more from the fact of their pupils being counted by hundreds, when the Tutors' are counted by tens. One gentleman indeed, a present Professor, whose words are frequently adopted by the Commissioners in their Report, has foreseen this danger to the Professors, and points out a way of avoiding it. He deprecates "imposing by unyielding rules the same burden of constant instruction as a necessity upon all." He thinks that literary enthusiasm will be sufficient, if good appointments are made, to ensure activity; and though in the case of some "this activity may not shew itself in teaching classes, or even audiences," still "...they will investigate, reflect, and write, even if they do not very actively lecture: they will address the world, if not the students of the academy, and their words will come back to the University in some form after many days. They may not irrigate the ground immediately beside them, but the abundance of their spring-heads and the larger volume of their pent-up waters must go forward to feed and cleanse the cities of the earth, or to move the vaster wheels of European literature, or to deepen the main sea of the world's knowledge. Much too must insensibly evaporate, and fall again in showers, seasonable ever, though capricious, upon the spot^h." These gentlemen, I allow, would not be "drudges." But why should Oxford pay them £800 or £1000 a year each

^h Evidence, p. 274. Quoted with approbation, Report, p. 97.

for the capricious showers of insensible evaporation? If it is the cities of the earth which are to have the benefit, it should be the cities of the earth which should find the payment, without asking the Colleges of Oxford to confiscate their Fellowships for the purpose, even though Fellows and Tutors be "drudges."

Rev. F. Meyrick.

3. Perhaps the greatest advantage in Professorships is that of retaining men of learning throughout their lives in Oxford, and supplying rewards to literary merit. But such advantage might, we must recollect, be dearly purchased, and has some counterbalancing objections. If men of learning are retained all their lives, they must grow old in the course of nature, and consequently must become disqualified for active exertion, and then, though quite justly retaining their position, they will be incapable of fulfilling either of the other ends for which Professorships are useful. They will neither be able to teach nor to study. Further, such Professorships *must* be often attained by persons not peculiarly eminent, and then, *if they are regarded as rewards*, the question will arise how has so and so earned his post? and the old cries about wealth and corruption will rise up with renewed vigour. It may be that the people of England will have less sympathy and make less allowance for the Professor with his £800 or £1000 than for the Fellow with his £200 a year.

Objections connected with advantage 3.

In balancing the advantages of the Professorial and Tutorial system, a comparison is drawn between Oxford and Germany, or between Oxford and the Mediæval University. Both comparisons are false; the true comparison is between the University of Oxford and the Universities of Scotland. With regard to Germany, we should remember that as the Germans themselves allow, the reason why they have not the Tutorial system is that they cannot get it; they cannot afford it, and are forced to use the inferior system, although confessedly inferior. But putting this aside, the German Universities are no models for ours, *unless* the circumstances under which they teach are the same. But they are perfectly different. It is well known that students are obliged to pass an examination previous to entering, and that they are fully aware that at the end of their time they must pass their final examination, or must be excluded by the law of the land from every profession by which they can gain their daily bread.

Argument drawn from the working of the Professorial system in Germany untenable, owing to the different circumstances of the Universities in the two countries.

Rev. F. Meyrick. This of course creates in their minds an impulse which in Oxford is wanting. Let the legislature pass a law that henceforth no one shall practice as a barrister, an attorney, a physician, a surgeon, a musician, or a professional man of any kind, without a certificate from the University; and then the University would be soon full, and there would be sufficient compulsion acting upon the students for them to make the most of their listening powers—in other words, for the Professorial system to work; but while the laws of England and the laws of Germany differ, as at present, it is something worse than blindness to attempt to introduce into our Universities a system which in any case is inferior, but which will only work at all with laws which we have not.

Argument drawn from the existence of the Professorial system in the middle ages untenable, owing to the difference between the Mediæval and modern Professors.

Again, the comparison of the proposed Professoriate and that of the Middle Ages is a false comparison, because the ancient Professors were in nothing like their modern namesakes except in title. They have been compared to the Private Tutors. Perhaps they may be most truly likened to a class which at present has no living existence except so far as it has been resuscitated by those Masters of Arts who, without any further title for teaching than that of their degree, have established lectures, which, by their own intrinsic value, have drawn Undergraduates about them to listen and profit, although not given without fees. Even had their system been the Professorial, still it would not become us simply on that account to adopt it. They employed the best means of teaching that they had, and, we may conclude, would have used better could they have had them. It would be perverted Antiquarianism to choose their less good in preference to a greater which they would doubtless have adopted had they been able.

Oxford and the Scottish Universities.

The true comparison then is not modern Germany or the Mediæval University, but Scotland. There the same laws are in force as with ourselves in the south: there consequently there is the same impulse to keep men up to their work as at Oxford, and no more. How then does the system there work? It is not necessary to enter into this question, which might become invidious. Enough that few would be found hardy enough to prefer it to that now working in Oxford: few who would account for the difference in position of the Universities merely by the greater wealth and prestige of Oxford: few who would not regard the Colleges and the Collegiate system as the

main cause of the excellence of the latter in comparison with the former.

*Rev. F.
Meyrick.*

From what I have said it will appear that I am decidedly adverse to any changes which may involve the substitution of the Professorial system for the Tutorial, whether directly as recommended by some of the Evidence supplied to the Commissioners, or indirectly, as I doubt not would result from the adoption of the Commissioners' proposals. At the same time I think that the Professoriate has some peculiar advantages of its own, particularly the three above mentioned, which (in spite of certain objections) are sufficiently great to make it very desirable that we should have Professors working with the Collegiate teachers. The question then remains as to the amount of the influence of each. Enough has been said to shew that my opinion is that the preponderating influence ought to remain still with the College Tutors, the Professorial Teaching being supplemental to it.

Professorial
system to be
supplemental
to the Tu-
torial.

On the means of combining the two systems, I would throw out a few suggestions, without entering overmuch into detail. On the point of number, it appears that we have at present nominally about 30 Professors, some of whom are scarcely known by name to the Residents of Oxford. These 30 Professorships might fairly be condensed into about 25, the holders of which should have really to work. In addition, there should be established a Professorship of Latin, and any others which circumstances, such as changes in the system of the Public Examinations, should make requisite. If they are to work well and "thrive," they must grow up naturally as they are wanted, not be planted full-grown, in which last case we can expect them to do no more than wither. Now it seems that of the present Professors 7 are sufficiently paid, the rest insufficiently. Among these insufficiently paid Professors there is distributed in unequal proportions about £4,600. This sum, at the rate of £500 per annum for each Professor besides fees, would supply the salaries of 9, making together with the others 16, and with the Latin Professorship, which will probably be endowed from other sources, 17ⁱ. Consequently £4000

Number and
salary of Pro-
fessors.

ⁱ I do not mean that this £4,600 should be first thrown together and then distributed afresh to 9 claimants, but that there exists this sum as a substratum to which additions may be made. The Professorships which I conceive might be thrown together are such as have been founded for the

*Rev. F.
Meyrick.*

per annum, in addition to our present funds, would adequately pay 25 Professors. This £4000, or, if a few more Professors were wanted, £5000, might, I believe, be found in time by the University itself, without having recourse to the violent counsels of the Commissioners, which are looked upon by many as an unjustifiable interference both with independence and the rights of property; or the milder means of levying a tax upon College property, or the still easier plan of taxing all members of the University and calling upon the Colleges for a voluntary subscription. It is generally understood that at present the University has a large sum at its disposal, which it is proposed to expend in building new Museums. It might be questioned whether new Halls and the establishment of the Professoriate on a fitting basis, are not even greater needs than a new Museum. Again, large sums are paid over to the University from the Delegates of the Press. These sums might be spent upon this strictly University purpose. Gradually there would thus accrue a sum large enough for the needed endowments. And it is only gradually that they are needed, for of course the endowment of £500 per annum will not be given except to Residents. Equally of course all the present Professors will not be forced into residence. Consequently it will only be as vacancies occur (vested interests being respected) that larger endowments will be needed. A non-resident Professor giving only such lectures as at present, can scarcely be said to be under-paid even with the small sum now assigned to him. I have taken the desired average to be £500, but I do not think that all Professors should be paid alike; some might have more, some less, and all the power of increasing their salaries by certain fees limited in amount.

Assistants to
Professors.

I see no advantage in the Sub-Professors or Lecturers recommended by the Commissioners. If they are intended to supersede College Tutors, let it be clearly stated; if they are intended as Assistants to the Professors, let them be placed on an equality, not in a subordinate position with respect to them, in order that they may act as a stimulant rather than a soporific to them. If we want more Professors, let us have them under their own appellation. But I think it worthy of consideration same or similar purposes, for instance, the smaller Medical Professorships and the Professorships of Arabic.

whether a hint may not be taken from a Paper printed some time since by the Rev. W. Sewell. Since the Professorial system is essentially adapted, as Mr. Pattison has argued, for popularizing instruction, it may be well questioned whether it would not be legitimately fulfilling its object, if some, at least, of the Professors, according to their subject of study, had Assistants, whose office it should be to give lectures elsewhere; to be, as it were, emissaries from Oxford, shooting out from her as from a centre, and giving to those who cannot have the advantages of an education in her the minor advantage of instruction from her. The School-Rooms and Mechanics' Institutes of our towns would gladly open their doors to such teaching, if able and prudent men were selected for the office.

*Rev. F.
Meyrick.*

The subject of appointment of Professors is a very difficult one. At present they are appointed in four ways: 1. By the Crown; 2. by Convocation; 3. by Boards within the University; 4. by Boards external to the University. In commenting upon these four modes, the Commissioners assert that, in the Evidence which they have received, the first and last of these modes are strongly recommended, the second and third strongly condemned. Again, I must beg that it must be kept in mind that those who have given Evidence are not representatives of the Oxford Masters, and that their views must not be taken as those of the Resident Graduates. There is a systematic depreciation of Convocation throughout the Report, which is very natural, as the party represented by the Commissioners has, I believe, almost invariably found itself in a minority in it in all political questions; but the judgment thus passed must not be taken at more than it is worth. With respect to the relative regards in which the Crown and Convocation are held in the matter of appointments, my experience has been the reverse of the Commissioners'. That "nominations by Convocation are open to grave objections, and that this is universally allowed," is true; but so *also* are all the other modes of appointment, and this is *equally* universally allowed. In the opinion of very many, the objections to the Crown are greater than those to Convocation. It is objected, that Convocation is a "mob." If this means that at times there has been confusion at the hour of voting, that is true so far as it goes, but it has been already remedied by the arrangements made for that purpose in the Convocation

Appointment
of Professors.
Convocation
preferable to
the Crown.

Rev. F. Meyrick. House. If it means that a want of decorum is shewn by debates and divisions into majorities and minorities, that is an objection to which all free institutions are liable, and however consistent in the mouth of a subject of an autocrat, can scarcely be creditably alleged by any person who values the British House of Commons. Again it is objected that men are brought in because they belong to a College, not for their individual merits. But it is found that no College will venture, for its own credit's sake, to bring forward any one for its members to vote for unless he is a fitting candidate. No disqualified person can therefore be thus thrust upon the University, even if it should happen that the very best man should not be selected, a thing which no mode of appointment can ensure. But the downright and fair way of judging on this point is not on *à priori* reasoning, but by examining how the system has worked. If it has so worked as to produce incompetent men relatively to others appointed differently, then we shall allow force in the theoretical objections; if, on the contrary, the result has been satisfactory, we shall prefer things to words. The Professors appointed by Convocation are the Professors of Ancient History, of Poetry, of Anglo-Saxon, of Common Law, of Political Economy, of Sanscrit, of Logic. Now will any one undertake to say that Dr. Cardwell of St. Alban Hall, Mr. Claughton of Trinity College, Mr. Earle of Oriel, Mr. Kenyon of All Souls, Mr. Rickards of Queen's, Mr. Wilson of Exeter, and Mr. Wall of Balliol, are incompetent men? On the contrary, it must be acknowledged that they would do honour to any appointment, and that they cannot be brought forward as arguments for proving the necessity of crushing the independent action of the University in nominating her own teachers.

Test of experience.

Objections to appointments by the Crown.

The Crown is the favourite selection of the Commissioners. The Crown is to appoint new Professors—the Crown is to have the first appointment of the University Lecturers—the Crown is held up *in terrorem*, though not actually recommended, as fit to elect Heads of Colleges—the Crown is to receive periodical reports from the Visitors. I think that the increase of the power of the Crown in the University is most objectionable, for (1) it is not the Crown, but the Government, and it will be the ruin of a place of education if it is to follow in the wake of successive changes of

Government, and shape its principles according to the majorities of the House of Commons. (2) It is carrying out a system which is abhorrent to the genius of the English Constitution, by destroying local liberty and introducing centralization. (3) There is no reason why the Prime Minister should be in any special manner qualified for selecting Professors, as he is called to his post from being supposed to possess, not those, but other, qualifications. (4) It is very undesirable that Oxford men should be tempted to plunge into political party strife with the notion before them that leading Politicians will be able one day to reward their zeal by substantial acknowledgments within the University. (5) Such Professors might become the instruments of indoctrinating the University with party principles of any character.

*Rev. F.
Meyrick.*

I conceive, then, that the objections against appointments by the Crown are very far greater than those against appointments by Convocation. I admit, however, that there are some objections which lie against Convocation. In the case of new Professorships, therefore, I would have the nomination placed in the hands of the *resident* M.A.'s, meeting in Convocation. This would, I believe, effectually remedy the evils of the present election by Convocation, and maintain the great advantage of independence. With regard to the present Professorships, I count it a matter both of principle and expediency, to leave the appointments in the hands in which they now are, without change. While no method of appointment has worked so badly as to hinder it from being at once a thing unjust and impolitic to deprive of their privileges in this respect the several bodies which now have them, a difference in the mode of appointment is in itself a good. It is an obstacle to centralization and bureaucracy, and a guarantee for local liberty. Different elements, introduced from different quarters, may limit and control each other. Should, however, any change take place, I would rather, for the reasons given above, that it were made in the case of those Professorships, the nomination to which is vested in the Crown, than in those which are filled up by the House of Convocation^k.

Appointments
to Professor-
ships here-
after founded.

^k In Cambridge the five Regius Professors, appointed by Henry VIII, are nominated, not, as at Oxford, by the Crown, but by Boards within the University.

Rev. F. Meyrick.

Proposal of the Commissioners to transfer the nomination of Examiners from the Vice-Chancellor and Proctors to the Professors.

ii. The Nomination of Examiners. At present this rests in the hands of the Vice-Chancellor and Proctors: the Commissioners recommend that it should be transferred to a Board consisting of all the Professors, and of them solely. I think the proposed change would be most mischievous and detrimental to the best interests of the place. To make out this point, I will attempt to shew, 1. that it is *a priori* likely that the present system should work well, and that, in matter of fact, it has worked well; 2. that it is highly probable that the proposed system would not work well, and certain (so far as any thing future can be) that the balance of objections to both schemes lies on the side of the new one.

A priori likelihood of the present system of nomination working well.

1. It is likely *a priori* that the present system of nomination by the Vice-Chancellor and Proctors should work well. Before being able to reach this point, there is another on which a few words must be said, viz. the appointment of the Proctors themselves, for this too has been assailed by the Commissioners, and has been alleged as a reason against their being entrusted with the nomination of Examiners.

The Proctors. Their office and power reduced to a shadow by the proposal of the Commissioners.

The Proctors are the representatives of the Masters, and therefore of the Independence of Oxford. As such, they find no favour in the eyes of the Commissioners. At present their office is a very high one, and accordingly there are always found men of high character, ability, and energy, who are ready to accept the post, in spite of the laborious nature of its duties. Together, they have a Veto upon the Acts of Convocation, and consequently on the legislation of the University. They have a large share in nominating Examiners, in adjudging prizes, in electing certain Professors, and in appointing the Select Preachers. All these privileges the Commissioners propose to strike off at a blow, and to leave them nothing except the office of nightly control of the streets and the direction of the police. Such an office is not one which would tempt any superior person to undertake it. The unpleasantness of it at present is paid for by compensating honour and influence: cut off the latter, and you will assuredly have inferior men, who must be paid by an increase of money. At present the office can only be held for one year; the Commissioners propose that it should be constantly held for two years—which may or may not be a good suggestion—and that the holder of it shall be re-eligible—which assuredly is a very bad one, as nowhere would

the old proverb of "sweeping clean" hold, if not here. At present the limitation with regard to standing necessitates the Proctor being in the vigour of his manhood; the Commissioners propose that the limitation should be no longer retained. What is the natural result from these proposals, but that the Proctorial office must sink from the high dignity and honour with which it is now encompassed, and from the hands of energetic, stirring, able, high-minded men, to a state of contempt, and into the possession of a certain number of persons, re-eligible and re-elected, although it may be deficient in capacity and activity, and perhaps sinking into the listlessness which creeps on with advanced age?

*Rev. F.
Meyrick:*

But the most objectionable of their proposals on this head still remains. The Proctors are, as I have said, the representatives of the Masters, as it were, the Tribunes of the Commons. The essence of such an office is, that its holder should be elected from below, not nominated from above. But what is the proposal of the Commissioners? That henceforth the Proctors, after having been shorn of their honours in the way above described, shall be nominated by the governing body of the University, their House of Congregation, in which, be it remembered, not one member sits because he is a Master or elected by Masters. It may be replied, that the principle of Election has been given up from the time that the present mode of appointments has been acquiesced in. But it has not. It is well known, that previous to the year 1629 the Proctors were chosen by the common votes of all the Masters; in that year Charles I, in order to prevent the disturbances which accompanied the canvass, converted these public Elections into private ones, i. e. gave to the whole body, in separate sections in turn, the privilege of Election, which up to that time it had exercised in its undivided shape. The principle then is still kept up, though not so apparent on the surface: the present practice of generally, though not universally, electing the senior Master who is eligible, is an arrangement made for convenience, and not interfering with the principle of Election. When it is not convenient, i. e. when the senior is not fitted for the office, he can be and is passed over, and the right of election vindicated by being exerted. It was the deliberate conclusion of the Tutors' Association in a large meeting, that no alteration was required

*Their ap-
pointment.
Satisfactory
nature of the
present mode.*

*Sentiment of
the Tutors'
Association
on this point.*

*Rev. F.
Meyrick.*

with respect to the Proctors beyond this, that the limitation which excludes M.A.'s of more than ten years' standing should be extended so as to include those who were under fifteen years' standing, and that the cycle of Charles having now become slightly inapplicable should be amended. Not one present was found to support the Commissioners' proposal; some few argued for the old general election by Convocation, but the whole feeling of the Association was on the other side, mainly on these grounds: (α) such an election might in times of excitement convulse the University: (β) a Proctor so elected would feel himself tied to his party, whereas a Proctor as at present elected, though he may equally belong to the party, does not: (γ) the present system works admirably. The objections of the Commissioners, resting as they do on theory, are found not to hold in practice. It is but here and there that an inefficient Proctor can be found, or that a case of incapacity can be pointed out. I do not believe that the same can be said of any other University officer, except it be of the Examiners, who are appointed by the Vice-Chancellor and Proctors, and whose appointment the Commissioners desire to transfer from the Vice-Chancellor and Proctors to the Professors.

Likelihood
that good
Examiners
would be ap-
pointed by
means of
Proctorial
nomination.

Having attempted to vindicate the appointment of Proctors, it follows that I should speak on the practice of appointment by Proctors. Each College has the duty laid upon it of electing a Proctor in turn according to a certain cycle drawn up in 1629. This cycle may now doubtless be corrected with advantage, and when so corrected, will answer every purpose better than at present. According then to this cycle, every College will have a Proctor among its members just so often as according to its numbers and influence is just. A person living within the walls of a College, while his acquaintance is by no means confined to his fellow-Collegians, is yet naturally better acquainted with the Fellows and Tutors of his own College and their capacities, than those of other Colleges. There is a probability therefore that he will nominate some Examiners from his own College. And this is what is cried out against by the theoretical opponents of such a system of appointments. But on what grounds? I assert without fear of contradiction, that in every College in Oxford there are at least two or three, and often more, among its Fel-

lows and Tutors, who are fully competent to be public Examiners; and this being so, what better scheme could be devised for having in the Schools as Examiners, not it may be the very best men in the whole University each time, but (a far better thing) all the best men of the University in their turn, than the present system of appointment by Proctors. We have in every College two or three men fully competent to act as Examiners: we have a method of appointment the best adapted for bringing such Examiners into work in turn. What else do we want? It may be added, that a Proctor's appointment is likely to be, and often has been, the means of bringing for the first time into notice men who afterwards have become very eminent in the University.

But to come to the test of experience. What is it that requires mending? Are the Examiners, as at present appointed, or have they been, incompetent or dishonest men? Nothing of the kind. You may hear that such an Examiner regards science more than history—another, scholarship more than science—that this Examiner's manner is bad, and makes the Examinee nervous, and that the other makes the bearing of his questions understood more easily. But these are remarks to which every board of Examiners is liable and will be subject. Charges of incapacity or of favouritism are unknown. The purity of the courts of judgment is universally acknowledged. The enumeration of the names of the present Examiners, taken as an ordinary specimen, (and with the exception of Mr. Hallam, they are nothing more,) will in itself be sufficient to show to all who know Oxford, and to many who do not, that no abuse has been made out, and that no improvement is required. Messrs. Wilson of Corpus, Pattison of Lincoln, Jowett of Balliol, Andrew of Worcester, are Examiners in the Classical Schools. Messrs. Price of Pembroke, Ashworth of Brasenose, Wayte of Trinity, in the Mathematical Schools. Messrs. Hallam, of Christ Church, Michell of Magdalen Hall, Lake of Balliol, in the Law and Modern History Schools. Dr. Daubeny of Magdalen, Dr. Acland of All Souls, Mr. Walker of Wadham, in the Natural Science Schools. Messrs. Scott of Balliol, Rawlinson of Exeter, De Teissier of Corpus, Conington of University, in the Classical Moderation Schools. Messrs. Pocock of Queen's, Bel-

*Rev. F.
Meyrick.*

Experience
that good
Examiners
have been ap-
pointed by
means of
Proctorial
nomination.

Rev. F. Meyrick. lamy of St. John's, Edwardes of Merton, in the Mathematical Moderation Schools. Exclusive of Mr. Hallam, whose fame requires no comment, the nineteen gentlemen here named can count amongst them sixteen First Classes, seven Second Classes, eight University Scholarships and twelve University Prizes. And it will be seen that, together with Mr. Hallam, they are drawn from no less than sixteen out of the nineteen Colleges of Oxford besides one of the five Halls. The Examiners for the University Scholarships were men of equal merit and ability. They were Mr. Cornewall Lewis of Ch. Ch., Mr. Palmer of Balliol, Mr. Powles of Exeter; Mr. Marshall of Ch. Ch., Mr. Bernard of Trinity and Mr. Muckleston of Worcester. These six gentlemen count among them five First Classes, two Second Classes, three University Scholarships and two University Prizes. In short, a charge of inability or unfairness is never heard of. The proposed changes of the Commissioners therefore can only be dictated by a determination to carry out a theory, not by a desire to amend what may require amending.

Likelihood
that the no-
mination of
Examiners
by Professors
would work
ill.

2. The Commissioners' proposal is, "that the Professors should be formed into a Standing Delegacy, wholly official, and not liable to alteration, for the supervision of studies, the appointment of Examiners, and the management of the Public Libraries¹." The Commissioners hold Boards in high estimation. Thus they recommend "That for the election of Fellows and Scholars in the larger Colleges, *Boards* should be formed." "That the Professors should be distributed into four *Boards*." "That to assist the Professors, Assistant Professors, or Lecturers, should be appointed by *Boards* to which they would respectively belong." Such cures as Professors cannot singly effect, it would appear are to be performed by Boards of Professors. That which I am at present considering is indeed called a Standing Delegacy, but it is not a Delegacy, it is a Board. For a Delegacy, as its name implies, takes its authority from a Superior Body which may resume its powers to itself; a Board, on the contrary, sits in its own right, an oligarchy entire in itself. I think such Boards in general objectionable, as being neither subject on the one hand to the control of a superior, nor on the other open, like an individual,

¹ Report, p. 257.

to the influence of public opinion, and as being unfavourable to free and independent action. I think the proposed Board objectionable in the highest degree for the following reasons. Rev. F
Meyrick

(1.) There would be no longer the same cause which now operates so beneficially in effecting the fair selection of Examiners from all the Colleges of the University, and bringing forward the best men in that capacity, each in their turn. On the contrary, the Professors, living in many cases very much aloof from the members of the University in a social sphere of their own, would have their own acquaintances whom it would be natural for them again and again to select. I do not doubt that they would be able men, but others equally able would be omitted, and the Examiners would gradually become party-nominees again and again reappointed. That able men are not used *too seldom* under the present system is clear from the fact that one of the present Examiners has held the same post no less than seven times previously ; another four times. The cry of neglecting the best men in favour of good men cannot therefore be raised at present, and the very frequent reappointments likely under the proposed system would be an evil of a most serious nature.

But (2) there is no hindrance, but, on the contrary, it is put forth as a most desirable thing, that Professors should be themselves Examiners. Now we know that when men belong to the same body and meet together regularly at the same official table, there rises up among them, even most innocently, an *esprit de corps*. This *esprit de corps*, combined with a disinclination to do an unkindly act to those whom they were in the constant habit of meeting, would inevitably cause the Board to nominate Professors to the several offices of Examiners. And so here we have a complicated scheme for giving power to fifty men to nominate twenty of their own number annually as Examiners. By degrees I have little doubt that the office of Examiner would be permanently attached to that of Professor, as is the case in Germany, which is so often regarded as a model by the compilers of the Report—an arrangement which has worked with such signal ill success in Scotland. But whether this result followed or no, we have here a scheme for giving to the Professors both the legislative and the executive with respect to the studies of the University. Whoever has the

(1) Examiners like thus to become party nominees a too frequently reappointed.

(2) Professors themselves likely thus to become officially Examiners

*Rev. F.
Meyrick.*

control of the Examinations, has the control of the whole line of teaching, and consequently of the education of the place.

(3) The Classical character of Oxford's system of study likely thus to be undermined.

Now (3.) I deny that the Professorial body is the fitting one to hold this controlling power. They necessarily and rightly represent an enormous variety of Studies, Sanscrit, Botany, Music, and Mineralogy included. Oxford's system is distinctly founded on the basis of Classical Study. In this branch there is but one, or at most there are but two Professors. Consequently in the Board proposed for the direction of the University studies and appointment of Examiners, Classical study is represented in no greater strength than the study of Anatomy. Now supposing the Professors to be active men, they will of course wish their lectures to be well attended; but the only effectual method of procuring voluntary attendance on the part of the Undergraduates is, that of making the Lectures available for the Examinations, or the Examinations suitable to the Lectures. How then could the Professor of Greek resist his brother Professors when they demanded the introduction into the Examination papers of a little Sanscrit, a little Botany, a little Mineralogy, a little Anatomy? In short, this scheme would in a few years overthrow the Classical system of study now in use, and introduce in its place pursuits calculated to occupy and amuse the mind, but hardly to discipline it.

(4) A spirit of currying favour and paying court likely thus to be fostered.

Further, (4.) it is not to be overlooked that such a system of nominations would produce an evil in the case of those persons who may desire to be made Examiners from which we are now wholly free. At present such a thing as aiming at being made Examiner, or paying court to any person or persons for that purpose, is absolutely and wholly unknown in Oxford. This is no doubt greatly attributable to the very high tone of feeling predominant in the University, which would scorn to lower itself to such servile proceedings. At the same time it should not be forgotten that the present system precludes it, the proposed system is calculated to foster it. Until it became the practice that Professors alone should be appointed, (and this no doubt would not be case for some years,) we might have the degrading spectacle before us of men anxious of distinction paying court to the Professorial Board. At present no one knows or thinks till the moment comes who will be the Proctors for the ensuing year. They

come into office, make their appointments, resign their posts, and are succeeded by others as unforeseen, till the day of their election, as they were themselves. There is no permanent Board holding patronage in its hands on which a man is able to fawn if he were willing to stoop to do so. The Commissioners' proposal supplies it. *Rev. F. Meyrick.*

IV. V. On the subject of Revenue I have no remarks to make. The Recommendations of the Commissioners on this head appear to me, so far as I am able to judge, wise and judicious. On the College question, as it is called, containing, as it does, points of perhaps greater importance than any of the others, I shall not here enter, as I do not know to what extent the Committee take cognisance of it, and there will be an opportunity for any one who desires it to express his sentiments upon that head in replying to some Questions about to be issued by the Tutors' Association. In concluding, I cannot help expressing my regret that the Masters' petition for a mixed Delegacy for the consideration of the questions now before the University was not acceded to. Had it been acted upon, the two parties represented by the Heads of Colleges and by the Tutors would have been working in unison, instead of holding apart and working apart as at present. The necessary consequence of the refusal was the resuscitation of the Tutors' Association, the labours of which are, I conceive, and have been, of infinite advantage to the University; but a much greater amount of good might, it appears to me, have been done by the joint labours of Heads of Houses and Masters united in a Delegacy with equal numbers and equal votes. *University Revenue. College Question. Mixed Delegacy. Tutors' Association.*

FREDERICK MEYRICK.

From the Rev. C. Marriott, B.D. Fellow of Oriel.

DEAR MR. VICE-CHANCELLOR,

IN endeavouring to return some answer to the inquiry of *Rev. C. Marriott* the Committee of Heads of Houses on University Reform, I shall confine myself to a few topics. In the midst of various occupations, I have not had time to give full consideration to all the subjects now brought into question, nor opportunity of discussing them all with others, so as to mature and correct my own views. But on several of them I certainly have convictions which need no further deliberation, being the uniform result of the whole thought and observation of more than twenty years' residence in this University, during which I have never ceased to take notice of and reflect upon every thing that appeared to me to bear upon the improvement of our discipline and studies, and the possible extension of our system. Such are, The general necessity of Tutorial instruction and superintendence; The value of general, as distinct from professional education; The value of *time* spent under the influences of the University; The desirableness of longer residence for many students; and The necessity of some better system of cooperation between the Convocation of the University and its Initiative Board.

I.—*The Tutors' Association.*

It will be necessary for me to refer occasionally to Reports Its Reports. of the 'Tutors' Association; not that I wish to assume any authority for that body, but because I have made use of it as the means of correcting and enlarging my own views. And on some questions its Reports and Resolutions so fully express all that I have to say, that I have no need to attempt to improve upon them. The Association was formed some years ago, and had discussed various questions relating to the ex-

Rev. C. Marriott. penses, discipline, and studies of the University, before the issuing of Her Majesty's Commission. And it has recently been again put in action, at once in order to the formation of accurate views on the various subjects of inquiry, and in order to collecting and giving expression to the opinions of its members on the principal points. Part of its Reports are not yet finished, but of these I know enough to be able to refer to them, as stating various proposals more clearly than I could expect to do in writing necessarily with some haste.

II.—*The Initiative Power.*

Altered circumstances.

With respect to the Initiative Power in University Legislation, I trust you will excuse me if I speak freely. No one can value more highly than I do the stability of our Institutions, and no one can have a much higher opinion of the advances recently made by the University in the improvement of discipline and studies, under its present system of legislation. At the same time, I am convinced that the entire limitation of the Initiative Power to one class is both a hinderance to very needful improvements, and a danger to our whole system.

In the days when our present statutes were framed, the analogy of our political institutions did not require that any great organic power should be given to public opinion. The circle of our sciences was narrow, and our studies admitted of little change. And the external power from which we had to expect interference was usually in the hands of a few persons, and little affected by the fluctuations of popular feeling. Now, on the contrary, public opinion rules the State, and many corporations have undergone or are undergoing Reforms which will make them far more amenable to the popular will within their respective limits. Our studies have also advanced, and new sciences have been created, and new needs have arisen, which absolutely demand greater freedom of action in the working body of the University. Society has become more complex, and it is impossible that any one class should perceive all the various adaptations that are needed, in order to meet its ever-changing wants. And these wants will be appreciated out of doors, while the necessary conditions and fundamental principles of our institutions cannot be understood except by those who have spent years within our walls.

The inevitable consequence will be, that, sooner or later, but at no very distant period, public opinion will force one-sided and mischievous changes upon us from without, if our legislation is not opened to the impressions of *Academical Public Opinion* within. And so clear is this to every one who observes the course of events, that it will give no ground for charging the Heads of Houses with deserting their post, if they bring forward any moderate measure for extending the Initiative Power. On the contrary, they will save the power of internal legislation for the University, which power it cannot but lose if so plausible and even so rational a pretext is left for State interference, as the absolute confinement of that power to a single and very limited class.

I say this by no means only with a view to the words of a particular minister, but as the long growing and now certain conviction of many years; I have never in any way sanctioned an appeal to the public to compel such a change, although I believed that important and needful improvements depended on it, because I felt that if it came from without, the independence of the University was lost for ever, and that independence was the necessary condition of that self-respect and moral power which are the foundation of our usefulness. The last chance for the maintenance of that independence is now in the hands of the Hebdomadal Board. If they are willing to take the initiative in this matter, and either to determine themselves, or to seek the aid of a Commission of Judges and other competent persons in determining, a revised legislative constitution, to be proposed to the Convocation of the University, the work will still be theirs, and that of the University. The new organ will be one of our own choosing, developed from our own resources, by our own will and judgment, and not by external force.

The Convocation of the University, so far from feeling under any compulsion, will rejoice at the proposal, which is sure to be one conceived in the spirit of our ancient institutions, and calculated to work with them. On the other hand, if a position of simple resistance is taken, and a few slight improvements are put forward as the whole of what can be recommended, it matters little whether we stave off the present crisis, we shall remain vulnerable and disunited. The hand

*Rev. C.
Marriott.*

*Preservation
of indepen-
dence.*

Rev. C. Marriott. of the Legislature will not long be withheld, and the independence of the University, and probably of the Colleges also, will be forfeited for ever. A greater freedom of initiating measures is the one thing needful to prevent this. For it will remove many subjects of irritation, and will give a legitimate opening for any complaint, and a reasonable hope of the removal of any grievance that may be felt. I believe the Heads of Houses to be most desirous of improvement, and most ready to attend to any grievance of which they may become aware. But they are in an isolated position, and even senior members of the University do not approach them with that freedom which is necessary to their understanding the feelings and wants of other classes. Men complain loudly every where except where it is needful that they should be heard, and forget that those of whom they complain have not the opportunity of knowing their complaints. If some legitimate mode of action is not opened to members of the University who feel thus, their discontent will become disaffection, as is already the case with many, and will fatally weaken us for any attempt to resist external interference. I have dwelt somewhat fully upon this, because it is in fact the "summa rerum," and the whole future character and history of the University depends on our avoiding any single act of Parliamentary interference that is not *constitutionally* invited by ourselves.

Remodelled
Board.

On this subject of the initiative power I believe that a Report is forthcoming from the Tutors' Association, the plan of which has my qualified assent, as the best in its kind that I have yet seen proposed.

Indirect ini-
tiative in
Congrega-
tion.

My own original view was somewhat of a different kind, but I am not prepared to say that it was on the whole a better plan.

I considered that if the University is to be brought more closely under the view of the Legislature and the public, it was absolutely necessary that the initiative process should be somewhat more rapid in action, and somewhat more open to the public opinion of the University than it is at present, rather from the very nature of the case, than from any fault in the Heads of Houses. Independently of this external necessity, I had long thought that benefit would be gained by a more frequent recourse to the constitutional process of legisla-

tion by means of special Delegacies for framing the required measures. Accordingly I suggested that the Congregation of the University, without much change in its present constitution, might have the power of proposing to *Convocation* the appointment of a Delegation for framing a Statute on any given subject. Every official member of Congregation might have the right of making such a proposal with due notice. I think the Vice-Chancellor and Proctors might retain their present veto. If it were thought desirable by Convocation that the mode of appointing Delegates in this case should be changed, it might be made necessary for them to be proposed by name to Convocation. But this difficulty might be met in various ways, and need not be discussed at present.

With respect to the admission of amendments in Convocation at the will of any member, I am convinced that it is inexpedient. In any controverted case, the difficulty and inconvenience of keeping Convocation together sufficiently long for their proper discussion would be insurmountable. One step, however, might perhaps be taken in that direction.

After notice given of a proposed new Statute, it might be competent to any member of Convocation to propose a *Resolution* bearing upon the amendment of any clause. And such resolution might be put to the vote as a Resolution, and not with a view to its immediately acquiring the force of law, if that course appeared expedient to the Vice-Chancellor for ascertaining the sense of Convocation on the subject. Such a resolution would afford a help for framing a measure satisfactory to Convocation, which cannot be derived from a mere negative vote.

In accordance with this view, when I have felt it my duty to oppose any proposed Statute, I have, of late years, always endeavoured either to state my chief reasons briefly, or to induce others to do so. And various amendments have in fact been made in new Statutes, agreeably to suggestions put forward by different persons in that manner. And, indeed, if such notice were given, that amendments might be reduced to a proper form, and submitted to the Hebdomadal Board, or the proposing Delegation, it might in some cases be convenient that they should receive beforehand a conditional approval, so that, if passed, they might have the force of law, and be sub-

*Rev. C.
Marriott.*

Amendments
in Convoca-
tion.

Rev. C. Marriott. stituted for the original proposal, or incorporated with the remainder of it. This would at once be a saving of time, and, what is far more important, an encouragement to members of Convocation to enter fully into the merits of every proposal, and of every part of it.

Delegacy of Studies.

With respect to the administrative functions of the Board of Heads of Houses, I know of only one material point that requires amendment, and I think that, on the plan above stated, the remedy would be in the appointment of a Delegacy of Studies. The Delegates should have no legislative power, beyond the liberty of submitting proposals of Legislation to the Initiative Board, and of acting, with the permission of the Vice-Chancellor, as a Delegacy for framing Statutes on the subject of studies and examinations, without any special previous vote of Convocation, but not to be proposed to Convocation without the consent of the Board. They should have an administrative power, with some little control of funds, for matters relating to the means and appliances of study, and to various points which are with difficulty brought under the notice of the Hebdomadal Board, owing to its members being removed from immediate contact with the working processes of the several studies. Delay even of a few weeks in these matters loses a Term, and with it the whole opportunity for some students.

Remodelled Board.

The plan adopted by the committee of the Tutors' Association of an Initiative Board, comprising a deputed portion of the Body of Heads of Houses, together with elected members chosen by the Professors, Examiners, and Moderators, and by the other resident members of Convocation, has the merit of simplicity, and unity of principle. Committees of such a Board would often well supply the place of special Delegacies, and the composition of it would afford many new points of contact with the general public opinion and intellectual work of the University. It might or might not take the place of the present Hebdomadal Board in administration. If it did so, there would be some advantage of experience in the working of Statutes, together with an accumulative and traditional skill in framing them, beyond what would be found in special Delegacies. But this would, even in the other case, be supplied by the portion of the Board consisting of Heads of Houses.

Such a Board might well be entrusted with some portion of the functions assigned by Her Majesty's Commissioners to their proposed *Congregation*. *Rev. C. Marriott.*

To this proposed *Congregation* I see very many objections. It is far too large for the convenience of working together; and it comprises many members of the University whose time ought not to be unnecessarily taken up with legislative debates. Remodelled Congregation.

If the other recommendations of the Commissioners were carried into effect, it would also be liable to an excess of influence from without, owing to the large number of appointments which would be vested in the Crown. I can see no sufficient reason for thus opening the door to political influences, in a place where political strife ought always to be a matter of secondary consideration. Crown influence.

The Elective function might be exercised with advantage in some cases by the whole Body of Resident Members of Convocation, and in others by Delegates elected for the purpose by the Resident Members. But for this purpose a new Definition of Residence would be required, excluding the habitually non-resident Members of Foundations. Some such arrangement would be demanded by the creation of a number of new Professorships, as election by the whole Convocation would be at once inconvenient, and not likely to work well in cases where merit might not be well known throughout the country. The election of a body of Electors by the whole Convocation would be liable to less objection than the direct election of a Professor by the same body. Elections.

III.—*Delegacy of Studies.*

The "Standing Delegacy for the supervision of Studies," consisting of all the Professors, without other members, as proposed by the Commission, appears to me more than questionable. Should not be only of Professors.

The appointment of Examiners by such a body is a most serious encroachment on the liberty of the University. And although the Professors may be presumed to be well acquainted with the several studies, we have no security for their being even tolerably well acquainted with the students. Examinerships.

Particularly in the case of the essential studies of Oxford,

Rev. C. Marriott. Theology, and those hitherto comprehended under the title of *Literæ Humaniores*, the appointment of Examiners by the Professors only, would be injurious to liberty of thought, where that liberty is most indispensable. Large local divisions of the University, whole schools of opinion, would be shut out from the beneficial exercise, as well as from the rightful power and influence of the Examinership, which now circulates freely amongst all.

Tutors. And since a great part of the work of education must remain in the hands of *Tutors*, if either discipline and moral education are to be maintained in Colleges, or any effectual instruction is to be given to men of moderate abilities, it seems wrong to put the whole regulation of the Studies in the hands of the other kind of instructors.

V.—*Proctors.*

Duration of office.

I consider that the extension of the duration of the Proctor's office to two years would be an advantage to the efficiency both of the continuing and of the in-coming Proctor, and that the superior limit of standing might be extended at least five years. Something however of the vivacity and elasticity of youth is requisite, and much would be lost by giving such an office to elderly men.

Mode of appointment.

The Cycle, undoubtedly, has become somewhat unequal in its distribution, and might be amended. But I think that the circulation of the office through the Colleges is beneficial, and tends very much to maintain unity of feeling and of action in the University, as well as to spread vigour and activity through all its parts.

Powers.

And I think it would be a great error to divest the office either of the minor and accidental powers which tend to give it consideration amongst the Graduates, or of the great constitutional power of Veto, which, although rarely exercised, gives it weight in the counsels of the University. As much moral force as possible should be accumulated in the Procuratorial office, or at least as much as is safe, and I do not think any of its present powers either misplaced or dangerous. For assigning prizes, however, any official judge ought to have the power of appointing a deputy.

VI.—*Oaths.*Rev. C.
Marriott

With respect to oaths, I can do little more than state my own feeling and opinion. I believe that there is no other method of placing responsibility in its true light before the greater part of men. And I think that the abolition of oaths would remove a silent but powerful moral influence, which is at present operating to promote the conscientious discharge of duty. Men may scarcely remember that they have sworn, while they yet carry with them the feeling, strengthened by their oath, that they have to exercise their office as in the sight of God.

Sense of
responsibility.VII.—*Noblemen, &c.*

I think that some distinction between Noblemen and heirs of large property, and other Students, may be advantageous for the convenience of all parties, and for the protection of those who might be drawn into unnecessary expense by a system calculated for larger means than their own. It would be an undue restraint on the liberty of each College, if it were not allowed to classify its students in some measure in accordance with their means, and to make arrangements for one class which might be less suited for another.

Use of distinctions.

The Distinction of Gentlemen-Commoners is also of use in some cases, as affording an opportunity for suitable arrangements for men who are married, or who are above the usual age of Undergraduates.

Their living much with the Fellows is in many cases very beneficial, and it is better to have some general plan by which this may be brought about, than to leave it to be contrived exceptionally in each individual case. The difference of expense might, however, in some instances, be reduced.

X.—*Extension.*

With respect to the extension of our Education to a larger class of Students, I have given evidence *viva voce* to your Committee, and have also taken part in framing the Report of the Committee of the Tutors' Association on that subject, which is already in your hands, and which I think sufficiently expresses my views on almost every point.

Report of
Tutors' Association.

In 1848 I published a letter to the Rev. E. Woolcombe on

Rev. C. Marriott. University Extension, which I have placed in your hands, and which contains nearly all I could now say. The only part of it to which I do not now adhere is a paragraph in p. 9, beginning 'A more general license to establish Halls.' I objected to this as a single innovation in our existing system. As a part of a general scheme of promoting greater activity, and strengthening the central power of the University, I think such a license would be beneficial.

Private hospices.

Should be aggregated under a Head.

In my mind, however, this proposal carries with it a necessity not mentioned in the Report of the Tutors' Association, viz. That if any considerable number of private Halls or Hospices is established, an officer will be required to exercise some control over them under the Vice-Chancellor, with powers not much less than those exercised by the Head of a College over Students living without the walls. Unless this help is provided, the Vice-Chancellor will be unable to pay the necessary attention to the returns required to be made of the conduct and studies of the scholars resident in such houses. Indeed, I think they ought to be aggregated into one institution, to be called 'Aula Universitatis,' of which this officer should be the Head.

XI.—*Examination at Matriculation.*

Danger of repelling students.

It must of course be admitted that a Public Examination for Matriculation would raise the lower limit of scholarship in the University. I have, however, very great doubts of the expediency of such an addition to our system. It would exclude many who ought to be admitted, and who, once rejected, would never think of a second attempt. Many reasons may be given why they should not go away in disgust or despair; but they will do so. Our early Responsions are a sufficient inducement to Colleges to be careful in requiring tolerable proficiency from candidates for admission. And there is a class of students who, from peculiar difficulties and disadvantages, have been unable to prepare themselves elsewhere, but are able and willing to make rapid advances here.

Benefits.

It is true, however, that a Public Examination would be a test of great value for detecting and preventing negligence and incapacity in Schoolmasters and Tutors. And if it should be thought necessary for this purpose, I would suggest that the University should have a twofold standard of admission.

1st, Absolute, and
2ndly, Probationary ;

Rev. C.
Marriott.

and that Students admitted on the Probationary standard should be allowed to count their terms from the time of such admission, in the event of their passing an examination up to the absolute standard within six months. It would then be at the option of any College to refuse all Candidates whom the University did not judge to be absolutely admissible, or to receive and instruct those whose preparation was as yet deficient.

Difficulty how
to be met.

The difficulty would also be partially met by subjecting all candidates for admission below the age of 21 to a University Examination. This would exclude the unprepared from the regular course of academic Degrees, &c. ; while it would leave the exceptional cases of unavoidable delay free from impediment.

XII.—*Special Studies.*

The present Academical course for the Degree of B.A. is not too long to be occupied mainly with general education. The recent arrangement of Examinations has been made with a view to admit some separation of studies within that period, but not to encourage the assignment of any portion of that period wholly or mainly to professional pursuits. And if Oxford is still to send out educated *men*, she must not depart from this system. A man of ability can pass the present Schools with little labour, and, by foregoing distinction in Classics, may reserve ample time for the study of Modern History and Law, or of the Natural Sciences, while he is still digesting and improving his elementary knowledge of classical and philosophical learning,—a process in which the years of reflection are more necessary than the hours of study. One of indifferent powers may not be able to do this, but still if he neglects the studies more closely and fundamentally bearing on humanity, he will leave the University a far inferior man to what he might have become, though perhaps a greater proficient in some single line. Even in that line his attainments will be less solid, and his judgment less mature, than if he had exercised his mind in a course of general study. And as for the knowledge itself, no other study can supply the place of an acquaintance with the elements of the religious history of

Time must
not be short-
ened.

*Rev. C.
Marriott.*

man in the Holy Scriptures, with those of the intellectual history of man in the history and literature of Greece, and with those of the civil and political history of man in the history and literature of Rome. Nothing but the familiarity of daily work and catechetical instruction, can duly impress the mind with these indispensable perceptions, and as it were traditional experiences. The man who talks of human affairs without such knowledge, is liable to errors of a more fundamental character than if he were unaware of the Norman conquest, or of the revolutions of France. They are the roots of our tree of knowledge.

The pursuit of special studies belongs more properly to the period after the Bachelor's Degree; and it is of the utmost importance that residence after that degree should be facilitated, and rendered as little expensive as possible. I believe that this might be done to a great extent by means of University Hospices under due regulation, especially adapted to the case of students of rather small means. And if any Houses of stricter discipline should be founded for the reception of poorer students, I think they might receive them into residence a little earlier, (perhaps half a year on an average,) than is now usual; and might thus leave them a clear year after the B. A. degree, if not more, to be devoted to any special study they might prefer.

XIII.—*Boards of Professors.*

XIV.—*Creation of New Professorships.*

The Tutor's Association is preparing a Report on these subjects. I am engaged with others on a Committee in preparing this Report, and I expect that it will give a better and more complete view of the subject, than I could give at once from my own resources.

XXII.—*The Bodleian Library.*

It is not well to place any important institution under the sole authority of one class. Accordingly I think that the Bodleian Library should still have its Curators, appointed nearly as at present. A Reading-Room, however, might be provided, and placed under the control of a Board composed chiefly of Professors; and reading might be permitted there

at extra hours, perhaps in the evening. *Duplicates* might be allowed to be taken out of the Library under certain restrictions; and perhaps even other books under a special order of a proper Board. But it must be remembered that the present arrangements of the Bodleian are of very great value to *editors*, who have not the same facility of *reference* in any Library in the world. And if books at all commonly wanted were allowed to go out of the Library, this advantage might be lost. And one edition is as likely to be wanted as another, so that duplicates must be understood strictly. It should be remembered that the College Libraries afford great facilities to the members of the several Foundations for studying or consulting various books in their own rooms.

Rev. C.
Marriott.

C. MARRIOTT.

*From Edward A. Freeman, Esq., late Fellow and
Rhetorical Lecturer of Trinity College.*

RECOMMENDATIONS, Nos. II. III. V. XVI.

THE second recommendation of the Commissioners, by which certain very extensive powers are proposed to be vested in a body to be known as "Congregation," and the other recommendations which are inseparable from that proposal, are all of the very highest importance, and are, in my opinion, likely to issue in consequences extremely detrimental to the University, and, indeed, to the nation at large. I would therefore respectfully call the attention of the Committee, and of all persons interested in such questions, to the following considerations with regard to them. And as the whole matter appears to me to involve some extremely important constitutional principles, I trust I may be excused if I treat the subject both somewhat more at length and in a somewhat more abstract manner than the recommendations themselves might, at first sight, seem to require.

The recommendations in brief amount to this, that the whole power which, by the present constitution of the University, is vested, partly in the general body of Doctors and Masters in Convocation, partly in their representatives the Proctors, should be transferred to a standing and irresponsible Board, not one of whose members will be elected by Convocation, or be in any way under its control, in short to an oligarchy of the very strictest kind. The only functions left to Convocation will be, the invidious task of rejecting measures proposed to it and the right of electing the Chancellor and the Parliamentary Representatives of the University. These last indeed are powers which could not well be taken from it, unless the Commissioners had been prepared to assert that the Graduates of this University are less qualified to ex-

*E. A.
Freeman,
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E. A. Freeman, Esq. exercise the common rights of Englishmen than the ten-pound householders of the pettiest borough.

Now a slight consideration will show that this proposal is not only dangerous to the well-being of the University, but is utterly alien to every principle by which the English nation has attained its greatness and freedom, and even that it is by no means improbably designed as the first insertion of the wedge towards the destruction of that freedom in its truest and highest sense.

That truest and highest sense of freedom is that of *self-government*, the attainment of which, in a higher degree than any other European nation, has been the great fruit of the contests, both armed and peaceful, of successive centuries. The great principle of English liberty is to invest every individual and every assemblage of individuals with a power of free action only restrained by the necessity of respecting the free action of other individuals and assemblages. This at once stands in direct opposition to the bureaucracy of foreign states, whether despotic or democratic, the tendency of which is to control individual and local action, and to bring every thing into direct subserviency to a centralized government. In the one case the only sovereign is the Law, balancing and harmonizing the possibly conflicting claims of different individuals or bodies; in the other, all are subject to the caprice of ephemeral rulers, whether single or manifold. The result of these principles is to encourage the formation of local assemblies, corporations, or municipalities, democratically governed, and subject to no external control beyond the necessary restraint of the Law administered in the ordinary courts of justice. A folk-moot or shire-moot in past ages, a parish vestry at the present moment, are examples of pure democracy, every qualified citizen having a direct voice in the affairs of the community. In the reformed constitutions of our municipal towns, which are evidently a return to their original principles, authority is intrusted to elective and terminable rulers, who are consequently responsible representatives of the whole community. The constitution of our county magistracy forms a partial exception, the persons who decide questions of public interest, and who vote away public money, being not elected by, nor in any way responsible to, the persons for whom they

act. This is plainly an abuse and an inconsistency ; still it is clear that even the county magistrates stand practically, even as regards their appointment, on a totally different ground from these Government functionaries ; and, when once constituted, they share (practically) the usual exemption from all direct control but that of the Law.

*E. A.
Freeman,
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Now of this great principle of self-government, to which it can hardly be denied that we owe all our glory and happiness, and, above all, our capacity for effecting any requisite political changes without violence or revolution, the Universities and their Colleges are the greatest and most illustrious examples. The political and judicial constitution of England knows no individual founder, but has been developed by the successive requirements of fourteen centuries, without ever resorting to the *carte blanche* of a Constituent Assembly. So too that academical system, which is well nigh its fairest offspring, has gradually arisen under its shadow ; it has maintained the like continued existence through countless modifications of detail, and retained that inherent power of self-reform and adaptation to changing circumstances which can never belong to an institution which is the mere creation of an ephemeral Government, subject to the direct influence of every fleeting breath of political party.

As the Universities then are the most illustrious instances of our municipalities, composed of persons of higher rank and attainments than any other, and therefore perhaps invested with greater powers than any other, it is especially necessary that they should be, like other municipalities, democratically governed, and exempt from external influences. The great seats of learning and education should be above all things free from the influences of party politics ; consequently, no appointments, or as few as possible, should be under the control of ephemeral ministers, and no external control should be vested in any hands but those of the ordinary courts of justice. *Leges rem surdam esse*, is an accusation or a boast as old as the days of Tarquin ; English judges are unsuspected of those personal or party purposes, which form the very being of a premier or a minister of public instruction.

Now the recommendations of the Commissioners strike at the very root of every principle of municipal liberty. The old con-

E. A. Freeman, Esq. stitution of the University, following the natural instinct of the English mind, invests every full academical citizen with a free and equal vote in the concerns of the academical commonwealth. Every legislative measure is passed by the great democracy of Convocation, many important elections are vested in the same body ; whenever they are vested elsewhere, it is by virtue of statutes passed or bequests accepted by Convocation itself. The Chancellor himself is elected by that body, and, when elected, is merely its President, not its Sovereign. It may indeed be said that the democratical constitution is greatly interfered with by the existence of the present Hebdomadal Board. Such is undoubtedly the case ; but it should be remembered, 1st, that the best judges of academical law and antiquities consider the extent of power now claimed by that body, to be grounded on no statutable right ; 2ndly, that, as to its practical working on the present system there seems to be but one opinion. Among the mass of evidence given in to the Commissioners, among every variety of opinion on every other subject, a single voice only, as the Commissioners observe, and that from within the Board itself, has been raised in favour of the unaltered retention of this portion of our practical constitution. I may add that the Commissioners have (in page 12) very inaccurately attached my name to a proposal for retaining the present system, altered only by giving the power of amendment to Convocation. The causes of this misrepresentation (which is not confined to myself or to this instance) I do not understand, but I beg to refer to my printed evidence for my real sentiments, which will be found widely different from what the Commissioners attribute to me.

But the Hebdomadal Board, as at present formed, is neither so objectionably constituted, nor does it possess such extensive powers, as the body which the Commissioners propose practically to substitute for it. This is to consist of the Heads, Proctors, Professors, and Senior Tutors ; and to possess nearly all the power now belonging both to the Proctors and to Convocation. This body would constitute a strict, permanent, and, to a great extent, self-renewing oligarchy ; for the appointment of many of its members will be vested in itself—namely, of the Proctors and of those Professors now elected by Convocation or by smaller bodies. The Tutors, again, are appointed

by individual Heads; numerous other members will be nominated by the Crown, which nominates only a single member of the present Board; not one member will be elected by, or in any way responsible to, Convocation; the Heads of Colleges, as the free choice of their several Societies, will alone present the least shadow of popular election in any form. The new Board runs counter to the great principles of English freedom in substituting a developed oligarchy for well-nigh the last traces of democracy, and in introducing external influence in the form of numerous Crown appointments. It is also liable to the objections so ably brought by Mr. Macaulay against sir William Temple's scheme of remodelling the Privy Council; it is an attempt to combine the functions of a Cabinet and Parliament in one Assembly, and therefore likely to result in discharging both very badly. Nor does it appear to what extent its proceedings would be in any way public; probably it would possess neither the power of combined action belonging to a small body, nor the free ventilation of opinion and responsibility of individual speakers which are the great advantages of a large one. Being permanent, with new members only dropping in one by one, there would be no wholesome dread of a constituency, and every fear of a stereotyped system, from which individual members would not venture to dissent. In short, it has nearly all the evils of the present Board, together with the additional ones of self-election and increased ministerial influence. And, to wind up all, the very springs of justice and freedom seem to be corrupted, when the Proctors themselves, the old representatives and Tribunes of the whole academic commonwealth, are no longer to be chosen by election, lot, rotation, or any other means which can make them fair examples of the general average of citizens; but their office, shorn of its ancient authority and dignity, is itself to be made a piece of patronage in the hands of the ruling oligarchs.

*E. A.
Freeman,
Esq.*

Now all this illiberal revolution is to be effected because Convocation, we are told, is too numerous and disorderly a body for the due exercise of its high functions. This accusation contains just truth enough to act as a blind to the general unfairness of the complaint, and to the thorough unfairness of the proposed remedy. It has suited the purposes of the Commissioners to confound throughout the elective and the legis-

E. A. Freeman. Esq. lative functions of that body, and also to confound together practical and merely theoretical evils. We are told that three thousand persons, mostly non-resident and little conversant with academical business, are utterly incapable of entering into the details of intricate measures of legislation, such, for instance, as the late Examination Statute; that such a body is liable to mere inconsiderate party voting, and that measures carefully prepared by the preliminary board are liable to be thrown out by an ignorant, reckless, or factious opposition. This is all very possible; but it so happens that these ignoramuses, whose presence the Commissioners and their friends so greatly dread, have at least advanced so far in the way of wisdom as to be aware of their own ignorance; at all events they have commonly the discretion to stay at home on such occasions. Theological excitement certainly draws them in shoals when either Dr. Hampden, Dr. Symons, or Mr. Ward is to be censured; but the quiet work of legislation they are generally content to leave in the hands of smaller bodies better qualified for the purpose. Certainly the Examination Statute was deliberated upon without any very alarming influx of persons unworthy to say yea or nay on the matter. But the reform proposed by the Commissioners consists, curiously enough, in leaving matters, in all these respects, exactly as they stand at present; Convocation is still to retain its right of approving or rejecting measures, and no means are proposed for raising the character of Convocation itself. The legislative wisdom of the new Congregation will still remain as liable as that of the present Hebdomadal Board to be thwarted, not only by a mere invasion of country squires and country parsons, but even by a tumultuous inroad of Philosophers, Historians, Bishops, Judges, and Cabinet Ministers; of all, in short, whom Oxford has nurtured in their youth, and who may think it not unbecoming to give her the benefit of their counsel in their maturer years.

Nor do the Commissioners propose any remedy for the great evil of our present legislative system, the denial of the right of amendment to Convocation. Measures good in principle are still to be rejected because they are faulty in detail; or measures faulty in detail are still to be accepted because they are good in principle. Every measure not at once accepted in toto

is to be sent backwards and forwards between Congregation and Convocation till it is accepted by the latter through mere weariness of uttering the words "non placet." All the delay, the confusion, the piecemeal and unsatisfactory legislation, which is the necessary result of refusing to the great council of the University the common inherent right of the meanest deliberative assembly, seems to be no evil in the eyes of our liberal reformers, if only their beloved oligarchy is once established in its high and sovereign jurisdiction.

*E. A.
Freeman,
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Now as to elections, it is clear that the evil is not theoretical but to a certain extent practical. That is to say, the non-qualified classes who generally abstain from scenes of legislation are by no means slow to throng the academical polling booth even on less exciting occasions than the election of a Burgess or a Chancellor. And it cannot be denied that many of those who vote in such cases as contested Professorships are very far from qualified to decide between the merits of rival candidates, and in point of fact are often guided in their votes by mere College or party feeling. But it still has to be shown either that election by Convocation is in its practical results so irretrievably bad as it has been represented, or that the proposed method is likely to be attended with any superior advantages. Election by Convocation does not ordinarily produce bad Professors; the recent appointments to the chairs of Logic, Anglo-Saxon, Poetry, and Political Economy, are not such as to inflict any special disgrace on the University, or to make us shrink from comparing the results of free election with those of appointments vested in the crown or in oligarchic bodies. Even the defeated candidates were, for the most part, men whom we might have been well content to hail as successful. In fact the electors may often be guided in their choice by unworthy motives, and the result may possibly be the election of the *less* qualified candidate, but it can hardly fall upon an *unqualified* one. Rival parties or rival Colleges may convert the matter into a mere trial of strength, but the primary selection of either is not likely to fall upon a man altogether unqualified for the office.

Now in an oligarchic body there cannot fail to exist a tendency, which is less likely to exist in a popular one, to decide matters by a compromise, if indeed there is not a certain lurk-

*E. A.
Freeman,
Esq.*

ing dread of eminence, which does not affect the other. Every one knows how often it happens in elections vested in close bodies that the eminent and highly qualified leaders of two opposite parties are both of them rejected in favour of some less distinguished person who is not specially obnoxious to either. This is the vice of oligarchic appointments, as opposed either to monarchic or democratic ones; they have a natural tendency to mediocrity. And this tendency will have to contend with an opposite one equally dangerous; let it be remembered that in electing Professors, the "Congregation" will not only be appointing to offices, but will be filling up its own vacancies; every election will add to the strength of one or the other side of the house. Party spirit will therefore have still greater scope, and in a worse form, than when the appointment is merely to a particular office, not affecting the relative strength of any parties in the legislative body. Appointments in the hands either of an individual or of a multitude have their palpable merits and their palpable defects, strikingly analogous, it may be observed, in the two cases respectively; in oligarchical nominations it is equally easy to recognise the defects, while it requires a keener vision to discern the advantages.

Let it be granted then that Convocation and the present pro-bouleutic Board both need a searching reform; it may still be doubted whether the proposed scheme of the Commissioners does not leave all their existing defects in full force, while it introduces no small increase of others as yet but partially known. It is not likely to be of any practical advantage to the University, while it strikes at something which ought to be even dearer to us than the University itself, at the highest and most cherished liberties of England. It is a palpable assault of the German or Prussian propaganda upon the old and tried principles which have weathered the storms and adapted themselves to the changing circumstances of ages; it is an onslaught of the doctrinaire and the ideologist upon the old bulwarks of English common sense and hereditary experience. Every attempt to reform on a preconceived cut and dried theory, above all, any inroad on our old municipal self-government, any attempt to hand over a single democratical privilege into the hands of a minister or an oli-

garchy should be resisted while we still have power to crush it, or it may extend its grasp to objects yet more precious than academic independence.

*E. A.
Freeman,
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Such is the character of the proposed innovation itself; but it may be as well to look a little more narrowly into the peculiar line of sophistry by which it is supported. There runs through a large proportion of the recommendations of the Commissioners, a certain misapplied and even grotesque antiquarian vein. One can hardly help making oneself merry at the singular spectacle of liberal Commissioners, charged to adapt the University to the wants of the nineteenth century, going forth adorned with the borrowed plumes of mediæval revivalists, groping into the thickest gloom of the dark ages to extract some ideal scheme of a University as it existed in some Utopian age, whose chronology it is far from easy to determine before abuses were introduced or Commissioners needed to redress them. The records of antiquity are searched not for principles or precedents to guide us in the way of example or analogy, but with the set purpose of restoring a state of things which, if it ever existed, has for ever passed away. We are sent back to the examples of the worthies of old time, not to learn to act as we may fairly conceive they would have done under our circumstances, but senselessly to imitate what they are supposed to have actually done under circumstances altogether different. When we hear of reviving "the Professorial system" which is vaguely supposed to have existed in some mythical period before the ordinary course of English institutions had developed Colleges and Tutors, it is as if we were sent back to the age of Fitzwalter and De Montfort, not to study the grand principles of liberty and reformation, but to discuss the propriety of restoring villeinage, or the best means of collecting scutage, or assessing tenths and fifteenths.

In this spirit we are told that the panacea for the constitution of the University, is to remodel a body called Congregation, which indeed still exists, but whose exact constitution and functions have been long remanded to the province of the academical antiquary. It seems that this body once exercised more extensive powers than at present, and consisted of all the actual teachers in the University. This constitution the Commissioners promise to restore to us by the somewhat remark-

E. A. Freeman, Esq. able process of transferring the name of Congregation to an entirely new body, constituted in a manner altogether different, and invested with powers of quite another nature from that which we are told is revived. Because Congregation was in some respects a more democratic body than Convocation, its name is applied to one of the narrowest of oligarchies. Because it was designed to consist wholly of teachers, its revival is to contain many members who do not teach, and exclude the great majority of those who do. Now though a forced revival of any institution is impossible, yet it often happens that in the cycle of events an old institution does turn up under a new name; thus the old Regent Master has certainly reappeared in the nineteenth century form of the Private Tutor. To remodel the old Congregation according to its original intention, would be to admit not only Professors and the senior Tutor of each College, but all *bona fide* Tutors, public or private. I am not arguing in favour of any such institution, to which I should most decidedly object; I only say, that without proposing such a scheme, the Commissioners have no right to disguise their entirely new and very dangerous recommendation under the guise of remodelling Congregation.

So closely connected with the second Recommendation as to be impossible to separate them in considering the two, is the third, relating to Standing Delegacies; a subject which is indeed first introduced in the second. Granting the oligarchical character of Congregation in general, there seems no further objection to this scheme of Delegacies, with the very important exception of that which constitutes the Professors alone into a perpetual Board "for the supervision of studies, the appointment of examiners, and the management of the public Libraries." Here we have in full force the grand chimæra of Professors and a "Professorial System," not simply as forming a useful supplement to the more limited instruction given by the College Tutor, not as a means of teaching various branches of knowledge which do not enter into the ordinary curriculum, but as something desirable for its own sake, or rather for the sake of the mere name. The Commissioners appear to be so enamoured of the bare title of Professor, possibly because it has an attractive German-sounding effect, that they have entirely forgotten that the name, as applied to the different officers who

bear it, is little more than an accidental homonym. Professors of Divinity, Law, Greek, and Anglo-Saxon occupy wholly different relations both to their respective sciences and to the studies of the University in general. The general principle of appointment by Boards has been so thoroughly discussed, and the opinion of the University on the subject has been so repeatedly expressed, that it can be hardly necessary to recapitulate arguments which no one has attempted to answer. The formation of all Professors indiscriminately into a Board, to appoint all examiners indiscriminately, seems really to be dictated by an abstract love of bureaucracy. It is objected to Procuratorial nominations, that the Proctors may be supposed less capable of making fit appointments than persons more immediately conversant with the studies in question. This so far tells in favour of vesting the nomination of Examiners in Modern History and Jurisprudence in the Professors of those studies; but it is no argument for giving the Professors of Music and Anatomy a concurrent voice with them. A Proctor may surely be expected to make as good appointments to the school of *Literæ Humaniores* as if he had the Professor of Pastoral Theology at his elbow; nor does it seem essential that in nominating examiners in Physical Science, he should be assisted by the counsels of the Professor of Sanscrit. If it be intended that each Professor should have the chief voice in appointments in his own line, why not vest the nominations in such Professors solely? Why clog their action by such a numerous band of assessors? Why establish an institution which is intended not to be real? It seems hard that while the Historical and Physical Professors are making their several appointments, their brethren of the Chairs of Arabic and Rural Economy should sit wistfully by, waiting for turns of patronage which are reserved for the Greek Kalends.

It can hardly be supposed that I am arguing in favour of vesting these appointments, or any influence over them, in the hands of the Professors in any form. I should hardly have thought it necessary to refer further to the subject, but that some persons who are fully sensible of the necessity of preserving independent appointments in the school of *Literæ Humaniores* appear to draw a line, which to me is by no means intelligible, between that school and those instituted under the

*E. A.
Freeman,
Esq.*

E. A. Freeman, Esq. new Examination Statute. Leaving the school of Physical Science to the special consideration of those who are better qualified to judge of the nature and importance of such pursuits, I must altogether protest against the appointments in the "Modern History" school being taken out of the hands of the constitutional electors, the Vice-Chancellor and Proctors. I cannot conceive a more dangerous precedent than giving any influence over that School in any form to a single Professor of "Modern History" permanently appointed by an external power. It would be in effect to accept as our guide for an indefinite period the caprice of some ephemeral political leader. In a subject where widely different views prevail among men of equal ability and research, and where, unlike theology, neither has any right to brand the opinions of the other as positive error, we ought most especially to guard against any thing at all calculated to check the free ventilation of opinion or to stereotype a single set of theories. The mediæval system of which we are told so much, was eminently one of Free Trade, what we are informed is its revival is as conspicuously one of the narrowest Protection. It is a sufficient monopoly to have but a single recognised public teacher of a subject which might well exhaust the energies of many; it is a sufficient yoke that that single teacher should be one sent to us by an external power of which we cannot be too jealous, and one over whom the University has not the slightest control in any shape. But it would be a still worse monopoly if such a teacher were allowed any degree of influence over the appointment of Examiners, beyond that of any other member of Convocation. Under a system of Procuratorial appointments, it is hardly possible but that the result would prove substantially the same as is now confessedly the case in the Mathematical Schools; every one who was known to have given special attention to such subjects would, sooner or later, find his way into the post of Examiner. The appointment perpetually changing hands, a person overlooked or not appreciated by one Vice-Chancellor or Proctor, would seek a fair chance of the next year finding one more discerning. But with a permanent nominator or Board of nominators, there is far less probability of such being the case. The chances are that the private theories of an individual Professor would be

stereotyped for the term of his natural life, and that no Examiner would be appointed who was known to be attached to a different school.

*E. A.
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For my own scheme of Reform, I beg to refer to my evidence printed in the Blue Book. Its chief features are,

First, To raise the character of Convocation by instituting an examination for the Degree of M. A.

Second, To restore to Convocation the right of amendment.

Third, To substitute an elective or rotatory pro-bouleutic Council for the present Hebdomadal Board.

The constitution of this last is, I think, of comparatively little consequence, provided only that two principles are observed, 1st, that it be successive and not permanent; 2ndly, that it be not composed of any particular class in the University. On the whole, I am inclined to think, some such constitution as the following would be best; a Council of thirteen members, consisting of the Chancellor or Vice-Chancellor, the two Proctors, two Heads of Houses, two Professors, and six other Members of Convocation of different Colleges. The Heads and Professors should sit in rotation, the six other Members should be elected by their several Colleges, like the Proctors, according to an *amended* cycle. One Head, one Professor, and three of the six should retire annually. Six Colleges being represented at once, each active resident Member would have a fair chance of sooner or later taking his turn at the Board.

EDWARD A. FREEMAN,

Trinity College, November 18, 1852.



From the Rev. B. Bandinel, D.D. Bodley's Librarian.

IN drawing up these few Memoranda for the consideration of the Committee I have followed the order observed by the Commissioners in their suggestions relative to the Bodleian Library.

I.—MANAGEMENT BY PROFESSORS. (Report, p. 116.)

Were the number of Curators materially increased, or the Library placed under the superintendence and direction of what the Commissioners term the "Professorial Delegacy," all the evils which so press upon the proper management of the Cambridge Library would be entailed upon the Bodleian. *Rev. Dr. Bandinel.*

If it be objected that the present Curators can hardly be supposed to be acquainted with all branches of literature, and therefore unable to direct the purchase of all books desirable to be added to the collection, it should be recollected that under the large Eastern window, in juxtaposition with the Catalogue, is placed a large volume, marked "LIBRI DESIDERATI," wherein all persons are at liberty to enter the titles of works not in the Library, and which they think should be procured for it; were this done in all cases due attention would be paid to such recommendation, especially if the name of the individual making it, which is always desirable, should be appended.

II.—INCREASED FACILITY FOR READING.

Little need be said on this head. However weighty some reasons may appear, the evidence materially preponderates against lending Books out of the Library. I need only quote one great authority, that of Niebuhr: "It is lamentable that I am here much worse off for books than I was at Rome, where I was sure to find whatever was in the Library, because no books were ever lent out; here I find that just the book which I most want is always lent out." Dated from Bonn. (Report, p. 117^a.)

* Since this paper was drawn up, I have had a long conversation with the Librarian of the Advocates' Library at Edinburgh, who stated, that

Rev. Dr. Bandinel. With respect to the recommendation of a Reading-room, which would meet most of the objections to the non-lending system, there are two plans by which such recommendation might be effected.

1st, By a Reading-room *detached* from the Library ; where fire and lights might be allowed for the use of students in the winter-evenings. Such a room might possibly be found in the old Clarendon Building ; which might, under certain regulations, be open for certain hours every evening. Any student wishing to read there should be required to state to the Librarian, on paper, an hour at least before the close of the Library, the book he may wish to have provided for him.

2ndly, By fitting up for the purpose, as soon as the room can be spared, the Natural Philosophy School. This, as it is attached to the Library, could not without great danger be opened in the winter evenings, and therefore must be restricted to the summer months, under the same rules as those recommended for the room in the Clarendon.

The recommendation as to the time of the Visitation of the Library is of no importance to the Librarians.

That with regard to the increase of the Staff alluded to in Section 6, will be noticed at the end of this Memorial.

III. INTERNAL ARRANGEMENT.

The Commissioners refer almost solely to the evidence of one Professor ; who, with all due deference to his anxiety to place the Library on a BETTER footing, is the least conversant with it of almost all those who have given their evidence.

He seems never to have heard of the Gough Collection of Topographical Works, of which a special Catalogue has been printed, and to the keeping up and enriching of which our great and continual attention is directed in every possible way.

His remarks respecting the printing of Cross-references and Titles of Books do not apply. He is also wholly incorrect in stating that the Literature of the United States is neglected

upon comparing the Books in that Library with their different Catalogues previous to the formation of a new Catalogue, it was found that owing to the practice of lending books from the Library they had lost upwards of 6000, indeed very near 7000 works.

in the Bodleian Library, and only English Reprints admitted: *Rev. Dr. Bandinel.*
 in answer to such a charge, I have only to say, that I have long dealt with American Booksellers, and last year I paid one American Bookseller (Steevens) nearly 70*l.*

Notice has only been taken in the above statement of such evidence as the Commissioners thought deserving of embodying in their Report.

One or two more remarks will suffice. 1st, As to the Hours of allowing Access to the Library.

It is now open during the summer half-year from 9 to 4; in the winter from 10 to 3.

It would perhaps be better if the Library were opened uniformly at 10, as very few persons are found to visit the Library before that hour. And

That from the 1st of November to the 31st of March it should close at 3, as at present.

That in the months of April and October it should close at 4.

And that during the five summer months of May, June, July, August, and September it should remain open until 5 o'clock.

If a Reading-Room, however, is allowed, which is to open at 6 or indeed 7, then the present arrangement of shutting the Library at 3 and 4, alternate half-years, may be continued; opening always, as before recommended, at 10.

Considering the additional attendance and labour if the foregoing Alterations of closing the Library or establishing a Reading-Room be carried into effect; considering also the vast accession of Books which has been made to the Library since the present Staff was appointed; considering also the vastly increased number (nearly tenfold) of Students frequenting the Library, and the consequent increased demand for Books from various parts of the Library; it is hoped that the following additions may not be thought extravagant.

Present Staff.

- 1 Librarian.
- 2 Under Librarians.
- 2 Assistants to fetch Books.

Proposed Staff.

- 1 Librarian.
- 2 Under Librarians.
- 2 Senior Assistants.
- 2 Junior Assistants.
- 1 Youth as a Messenger.

Rev. Dr. Bandinel. The present Assistants leave their situation on taking their M.A. degree. When new Assistants are appointed it requires a long time to make them properly acquainted with the Library, and very much confusion and irregularity too often ensues. By having two Senior Assistants (one of whom may not be of the University, and the other may be allowed to remain after taking his M. A. degree) all these difficulties would be obviated, and the Staff would be effective towards carrying on the regular routine of the Library, which, from the almost daily accession of new Books, is now become very onerous.

As the Commissioners have in their report frequently referred to the state of Foreign Libraries, I send the accompanying paper drawn up by Mr. Coxe from the Parliamentary Papers; which will shew how much greater facilities *in every way* are afforded to Students in the Bodleian than in any other great Library on the Continent^a.

^a I hope I may be excused for transcribing the following remarks of the learned Dr. Daremberg, Librarian of the Mazarine Library; who was employed by the French government to report upon the Greek medical Manuscripts in the Bodleian and other libraries in England.

After praising the Collection generally he adds:—"Mais si l'on considère l'étendue, la majesté du local, la beauté des salles, ornées au xv^e siècle, l'ordre parfait, l'arrangement des livres, et je dois ajouter (car la reconnaissance m'en fait un devoir) l'affabilité, l'extrême complaisance, la libéralité des savants placés à la tête de cette riche collection, la Bodleienne n'a rien à envier aux bibliothèques les plus renommées et les mieux administrées."

BULKELEY BANDINEL.

Feb. 25. 1853.

Librarian.

Statement respecting Six principal Foreign Libraries, from the Parliamentary Report.

	<i>Berlin.</i>	<i>Dresden.</i>	<i>Florence, Magliabecchi.</i>	<i>Munich.</i>	<i>Paris.</i>	<i>Vienna.</i>
STAFF	1 Librarian 4 Keepers 2 Assistants 1 Secretary 3 Attendants	1 Librarian 1 Under Librarian 2 Secretaries 2 Servants	1 Librarian 1 Under Librarian 2 Assistants 4 Servants	No Information	2 Librarians 2 Under Librarians 18 Assistants 12 Servants	4 Librarians 4 Amanuenses 1 Assistant 4 Servants
CATALOGUES	Alphabetical in 294 fol. vols. Classed 202	Alphabetical of Authors a Classed Catalogue	Classed with Index of Authors	Two compiling 1 Authors 2 Subjects	Schemes of Cata- logues of Authors and Subjects, the Catalogue of 1733 the Basis	Alphabetical of Authors in 60 vols.
ADMISSION	On signing a Declaration	Free	Free	Free	Free to the Reading Room	Free
BOOKS LENT OUT	One at a time, but not to be carried out of the town. <i>No</i>	On certain con- ditions, and not to be taken out of Dresden <i>Books of</i>	Never <i>Reference</i>	Under certain restrictions <i>or costly</i>	Under certain restrictions <i>Works lent</i>	Only to the Imperial Court <i>out.</i>
HOW LONG OPEN	9—12 2—4 and 5 daily	10—12 3—5 4 days in the week Dec. and Jan. In the afternoon 3 weeks of the High Festival.	9—2 daily	9—2 three days in the week	10—3 daily	9—2 5 days in the week
CLOSED	70 days in the year	Never but the Reading Room is warmed	116 days in the year	No Information	115 days in the year	All August 25 Dec. to Jan. 1 Three Festival weeks
CANDLES OR FIRE ALLOWED	Never in the Library but in the Reading Room.	Never	Never	Candles not allowed the Library warned	Never in the Library or Reading Room	Never
ANY RESTRIC- TIONS IN SUP- PLYING BOOKS TO READERS	Novels, Plays are not given	At the discretion of the Librarian	Forbidden books refused to persons without a license.	No Restriction	Light works forbidden, but of others one at a time	Light books nor Provincials before Binding, only Accom- modation for 45 Readers

*From the Rev. Drummond P. Chase, Senior Proctor,
Fellow of Oriel College, and Vice-Principal of St.
Mary Hall.*

MR. VICE-CHANCELLOR,

I VENTURE to preface the few remarks which I offer to *Rev. D. P. Chase.* the consideration of the Committee, by expressing my satisfaction at the course which has been adopted of inviting from all members of Convocation an expression of their opinions upon the numerous questions opened up by the Recommendations of Her Majesty's Commissioners.

To the questions proposed by those Gentlemen, I did not feel myself at liberty to return any answers, because the question raised as to the legality of their Commission was prevented, by an arbitrary exercise of mere power, from receiving a judicial determination: and I was unwilling to purchase, by a cession of constitutional rights, the tempting opportunity of taking my part in suggesting improvements which I have long desired.

But to your Committee I would gladly offer any suggestions which have occurred to me: and if I restrict myself to one or two points, it is either because very many of those raised are such as belong properly to the University itself to determine, or because many have been already considered by an Association of members of Convocation to which I belong, and many more will probably be considered by the same Body; and the results of our deliberations partly have been, partly, I hope, will be, made public in another shape.

The first point on which I desire to remark relates to *a remodelling of the Constitution of the University*, so far at least as concerns the right of initiating measures to be brought before the general body of Convocation.

I assume that this is a change which requires the assistance of Parliament. As to the particular changes which I would

Rev. D.P. Chase. desire to see made, I shall content myself with referring to a Report (of a Committee of the Association before referred to) upon the same subject, which I hope will soon be published, and with which I expect to be able in the main to concur.

There is one point however which I feel to be essential ; that is the concession, to individual members of Convocation, of the right, under proper provisions, of proposing amendments to measures, however constituted may be the Body which initiates them.

The following are the restrictions under which I would propose to concede this right :

- a. That a fortnight at least shall elapse between the promulgation of any such measure in Congregation and the proposal of it in Convocation.
- b. That any amendments proposed to such measure be sent in to the Vice-Chancellor as Chairman of the Board, in writing, and signed with the name and College of the Mover (or Movers if so be), within a week after the promulgation of such measure in Congregation, and that he shall cause them to be printed and circulated, in the same manner as other Public Notices, at least three clear days before the day fixed for the proposal of the measure in Convocation.
- c. That no amendments shall be put to the House other than those proposed and published as above provided.
- d. That in case amendments be proposed by more than one Member (or set of Members) they shall be printed in the order in which they were received ; or, if received together, in such order as the Vice-Chancellor shall think fit.
- e. That the Vice-Chancellor shall put all such amendments to the House in the usual order ; i. e. those printed last shall be the first put ; and the original question last.

I have not felt at liberty to shelter myself under this forthcoming Report, without expressing individually my conviction that this question is the most important to the well being of the University which has been mooted.

That which, as I conceive, we ought to ask from the Legislature, (which, *I assume*, can alone grant it,) is to place us in

the position most favourable for Self-Reform, or, to speak more unequivocally, for Self-Improvement, by bringing to bear upon the Legislation of the place a great amount of intellect and practical knowledge, which has hitherto been confined to the ungracious task of giving a mere unconditional, unqualified negative. My experience in the University, short as it has been, has been long enough to show me how very detrimental to its interests has been the spirit thus engendered in those members of Convocation who have cared at all for public matters, and who have felt themselves reduced in this respect to a position wholly unworthy of them. Times have been, even in my recollection, when it was practically held by many, that the Hebdomadal Board *could* not do right.

This request having been conceded by the Legislature, time should in fairness be given us, sufficient to test our capacity and our willingness to adapt ourselves, as far as may safely and equitably be done, to the circumstances of the present time. I entertain a confident hope that under a polity less restrictive than that which *in fact* at present subsists, all wise alterations would be gradually, and therefore safely, introduced. Should that hope be frustrated we must surrender at discretion; should it be happily fulfilled, we shall have saved ourselves from the manifest, and, I fear, now urgent, danger of being remodelled hastily either by those who have not sufficient knowledge to remodel wisely, or by those who are rather actuated by a restless desire to be doing (*πολυπράγμονες*) than guided by a farseeing, patient, and self-doubting wisdom. Desirable in themselves as I believe many of the changes to be which the Commissioners have proposed to *force* upon us, I cannot but feel that any advantage, however great, would be too dearly purchased by the loss, or by any diminution, of that independence which the University has so long enjoyed, and which, if it once loses, it will lose with it the great influence for good which it has hitherto exercised throughout the country.

I propose therefore to omit all consideration of such changes as the University itself could, and, I believe, would adopt if placed in a position for freer action.

It is perhaps unnecessary for any member of a College to express his entire dislike to confiscation of its revenues, under whatever titles disguised. The right to all property is a con-

*Rev.D.P.
Chase.*

Rev.D.P. Chase. ventional one: and if length of tenure can constitute any additional claim to consideration, it is not easy to see whose rights rest upon a firmer basis than ours.

The *might* of Parliament of course no one denies: if we are to be crushed by the strong hand of power, or thrown as a sop to the democratic Cerberus of socialism, dissent, and infidelity, all reasoning is superfluous.

I omit therefore all particular consideration of the very liberal views which the Commissioners entertain as to dealing with other people's property: to combat them is either useless or unnecessary: and I proceed to offer a few suggestions as to the desirableness of seeking from the legislature some power of removing those hindrances to our more widely extended utility, which, without that aid, we can not only not obtain, but, in many cases, not even move towards obtaining. Under the name of "*University Extension*" we are really concerned to find the means (if I may borrow a phrase from Political Economy) of extending our market, the supply being at the present moment greater than the demand. We have endeavoured to improve our article by adding to our studies other branches which had not their "due honour"—it is proposed to cheapen it (keeping up the quality at the same time?): but this is not enough—we must add, if we can, to the number of our prizes.

To the Commissioners this point presents no difficulty, nor does despotism usually find any in similar cases.

And why? because the good old rule
Suffices them—the simple plan—
That they should take who have the power,
And they should keep who can.

They simply recommend the entire disregard of all conditions attached, *under the guarantee of the State*, by founders to their benefactions, and the substitution of such other regulations as to the said Commissioners seem fit.

It would be a waste of time, of my own as well as of yours, to insist at any length upon the iniquity of this proposal, or upon its impolicy, as tending to discourage most effectually such benevolence for the future.

It must of course be admitted that the State reserves to it-

self, by the necessity of the case, a power of subsequent interference, if, in the lapse of time, conditions once valid and expedient either fail altogether or become plainly injurious to the public good ; still more if they be disallowed by the operation of a solemn law (not by a special decree extemporised for the purpose of interference).

*Rev. D. P.
Chase.*

Thus much must be at once admitted, especially by those who in many cases are enjoying the fruits of the liberality of Romanist founders. At the same time it should be remembered, that since the offices of accuser, judge, and residuary legatee are necessarily united, the applications of the general principle are *prima facie* suspicious.

Admitting then, as indisputable, the existence of this reserved right, I must still maintain that its exercise is legitimate only in cases of the clearest necessity : it will not serve as a justification for breaking a solemn guarantee, to allege that less good arises from the founder's disposition of his property than might with the same means be now effected.

But the State, I conceive, has, towards those whose liberality it has by sanctioning invited, undertaken the duty not merely of defending but of aiding ; it is its duty to insure, under the limitations above mentioned, the fulfilment of their *intentions*.

Now the *general* intentions of founders may be asserted to have been the encouragement and promotion of piety and learning ; to which they have commonly added an indication of the *particular* channel in which they have desired that the stream of their liberality should flow.

If therefore in any case, from the lapse of time and consequent change of circumstances, the letter of their Statutes either defeats or fails to fulfil their intentions, at this point the State, as their trustee, should step in to insure their fulfilment.

It will be perhaps the most convenient course for me, first to indicate concisely the changes which I conceive would meet this object ; and then to say a few words in explanation.

I believe then, that it is just and necessary at the present day to sanction a departure from the *letter* of the Statutes of founders and benefactors :

i. In cases where the reasons for their injunctions (either expressed by themselves or equitably inferred) have failed, by opening their benefactions to all British subjects.

Rev.D.P. Chase. ii. By providing that the words "Kingdom of England," (or their equivalents) shall be taken to include "the British Dominions."

iii. By defining the term "Native;" so as to substitute for the fact of Birth that of Residence for a certain period (say ten years) in the locality which the founder designed to favour.

iv. By entitling sons to all the rights which their fathers may have acquired by such Residence in respect of such benefactions.

In the first of these Recommendations I have had in view such cases as those of preferences given to the natives of border counties, at a time when their unsettled state left them peculiarly destitute of means of instruction: *cessante ratione cessat etiam lex*^a. And by extending the benefit to all British subjects, I conceive the *general* object of founders would be carried out in a way most agreeable to their wishes.

In the second, it is evident that most of the founders who have employed the term "Kingdom of England," used the largest term practically available: there could not have been within their view a large colonial Empire, or even the intimate union of Great Britain and Ireland.

As to the third, the most common qualification for participating in a benefaction is that the recipient shall be a *native* of a particular locality, whether diocese, county, town, or parish.

The law, of course, interprets the term native only in its literal sense: a youth is a native of that place in which he first drew breath. In the founder's time this would generally imply some real connection with the locality—that his parents were, had been, and were likely to continue, inhabitants of such place.

Does it insure any thing of the kind now? and if not, which seems to approximate most closely to the Founder's meaning? to bestow his benefaction upon one whose connection with the locality is, or at least may be, purely accidental, or upon one who, at least to some extent, must be a citizen of the place?

The fourth proposal springs out of the same consideration. The founder did not look to the future connection of the actual recipient of his bounty with the locality: for in sending him for

^a In giving this instance, I do not pretend to determine whether the reason has or has not wholly failed. I cite it merely as an illustration.

education to a far country (such Oxford was to many under the *Rev. D. Chase* circumstances of these times) he was enabling him to qualify himself for almost any employment: there was no elevation to which a successful scholar might not in those times aspire, when the same person might be at once an ecclesiastic of the highest rank and Lord Chancellor or Lord High Treasurer. He looked to the connection which he had with it through his parents. I propose to do the same. A B settles in a diocese, county, town, or parish, and resides his ten years. I would have all his sons entitled to the benefits which he has acquired. These sons again must look to themselves for any peculiar advantage to transmit to their children. Even these changes should, I conceive, be made reserving all existing rights: the delay occasioned would be as nothing compared with sanctioning retrospective injustice.

I cannot help thinking that these changes would practically throw open the foundations which have hitherto been least useful in the University, and by so doing give a great stimulus to learning at least—I hope to piety also.

There is one more case I should wish to notice; it is that of Colleges which draw the Members of their Corporate Body in great part or wholly from certain Schools.

That such a circumstance may, but need not, deteriorate a College, is proved by facts; but that it must in all cases lessen the number of prizes open to competition is plain.

In these cases I should propose to operate upon the Schools; as far as that might be done consistently with the principles above laid down.

These general provisions having been made, all future bequests would be made subject to them: nor should I have any apprehension that they would operate as a check upon benevolence.

I am aware how little satisfactory such a moderate change would be to the liberal spirit of some of our Modern Reformers; how narrow-minded and pusillanimous would appear to them any scruples as to breaking faith with the dead. And it must be confessed that in this, as in many other cases, a regard to justice does impose very inconvenient fetters; no doubt a far larger amount of immediate good would be effected could we bring the great resources of our Colleges to bear upon the

Rev.D.P. Chase. whole body of our students. And if I could think it equitable to override the intentions of the public spirited and self-denying men to whom we owe our foundations, I should at once concur in the recommendation to enact that all British subjects should be admissible to all their benefactions. But I cannot. To do this would I believe be (if I may borrow language far more eloquent than any I can hope to command^b) to “tell the people of this country, that in respect of any property with which it may please God to intrust them—any property which they may acquire by inheritance, by gift, or industry—that property they may waste in folly, in vanity, and in sin, so long as they do not break any laws of the realm. You will tell them that in respect of this same property they are welcome, in England, to settle it for a certain number of years upon their descendants, in order that they may make a like use of it; and in the Northern parts of this kingdom they may tie it up for the same purposes ‘as long as trees stand and waters flow.’ You will tell them, I say, that all this is open to them; but that if they dare to be unselfish; if they dare to lift their eyes from the ground on which they stand; above all, if they presume to offer any thing to the Majesty of Almighty God, that thenceforth they shall have no voice in the matter; that you will scatter their purposes to the wind; that you will generalize their most definite intentions so that they could not themselves recognise them again; and that to these foundations which they may design, foolishly design to be memorials of their love towards men and their zeal towards God to the remotest generations, you will allow no more ancient date than that of the last Act of Parliament which may have reconstructed them—no better history than that of the passions and prejudices, the wants and interests which may have struggled for their reconstruction.”

^b Mr. Hope's Speech delivered before the House of Lords, Jan. 24, 1840, on behalf of the Deans and Chapters petitioning against the “Ecclesiastical Duties and Revenues Bill.”

I have the honour to be

Mr. Vice-Chancellor,

Yours respectfully,

D. P. CHASE.

*St. Mary Hall,
May 18, 1853.*

*From the Rev. James Norris, D. D., President of
Corpus Christi College.*

WITH respect to the three Lectures founded in Corpus Christi College by the Statute ch. 21, it is to be observed that the third (that of Theology) was never called into actual existence: the two other Lectures, in Latin and in Greek, commenced immediately upon the foundation of the College, Ludovicus Vives, a Spaniard, the first Latin Lecturer, being nominated in 1517, Edward Wotton, the first Greek Lecturer, in 1520, both nominations being made by the Founder himself. And these two offices have been constantly filled by successive appointments, without intermission it is believed, to the present day. *Rev. Dr
Norris.*

There can be no doubt that the public Lectures in the Hall of Corpus Christi College had, in their early day, a considerable reputation; we know so much by the credit which attached to those given by Vives and by Jewell; and it is but reasonable to conclude that, so long as Public Lectures of this kind were really valued, Lecturers were not wanting from this source for the benefit of the Students of the University in general. But it is sufficiently notorious that the Lectures of Professors throughout the University, for many years past, have not been largely attended; and it can scarcely be wondered at that the Hall Lectures of Corpus Christi College, useful and frequented at a time when College Tuition was imperfect, should have gradually fallen into neglect under what we know as the *Tutorial System*; the advantage and benefit of which system, as compared with the state of the University before the existence of the Laudian Statutes, I believe it is quite impossible to overrate. Still, although the Hall Lectures of Corpus Christi College have long since ceased to be frequented, they do exist, being however usually, though not always or without recent exception, held

Rev. Dr. by the Tutors of the College, the subjects also and the hours
Norris. of delivery being regulated so as that they should form a part of the regular College Tuition. In all the instances within my own knowledge, during the last thirty-five years, when they have been held by other than the College Tutors, the Lecturers, as such, have been accustomed to give a Lecture in the College.

It will appear from this statement, that I fully recognise the fact that Bp. Fox intended his Lectures to be made useful to the whole body of the students of the University. And as they once were, so they may be again, publicly delivered, if indeed the University really requires public Lectures in Latin and Greek.

But as to the Recommendation of the Commissioners, that because *two* Fellows of C. C. C., *elected by the Society* in form of the Statute, are directed to discharge the duties therein described, therefore *six* Fellowships should be suspended in order to supply incomes for two Professors to be *appointed by the Crown*, I must be permitted to say, that it is a very extraordinary proposition, savouring much more strongly of a conscious want of legitimate means to carry out a favourite plan, than either of sound argument or of justice; and I feel it to be my duty to protest against it accordingly.

JAMES NORRIS,

President of C. C. C.

*Corpus Christi College,
April 18, 1853.*

From the Rev. Charles P. Chretien, M. A. Fellow and Tutor of Oriel College; Rev. Richard Congreve, M. A. Fellow and Tutor of Wadham College; John Conington, Esq., M. A. Fellow of University College; William F. Donkin, Esq., M. A. Savilian Professor of Astronomy, and Mathematical Lecturer of University College; Rev. Thomas F. Henney, M. A. Fellow and Tutor of Pembroke College; Nevil Story Maskelyne, Esq., M. A. of Wadham College, Deputy Reader in Mineralogy; Rev. Mark Pattison, B. D. Fellow and Tutor of Lincoln College; Rev. Bartholomew Price, M. A. Sedleian Reader in Natural Philosophy, and Fellow and Tutor of Pembroke College; Goldwin Smith, Esq., M. A. Fellow and Tutor of University College; Henry H. Vaughan, Esq., M. A. of Oriel College, Regius Professor of Modern History; and Rev. John M. Wilson, B. D. Professor of Moral Philosophy, and Fellow and Tutor of Corpus Christi College.

The Undersigned, Professors, Tutors of Colleges, and other *Rev. C..*
 members of Convocation, desire to meet the invitation of the *Chretien*
 "Hebdomadal Board Committee" in a spirit of cooperation *& other*
 by offering their remarks on the Recommendations of Her
 Majesty's Commissioners. Many of the undersigned have
 already given their opinions at length upon the topics discussed
 in the public Report, and to those opinions they would now
 refer as explaining their views respectively and in detail.

They now beg to state the result of their views in a summary
 and general form; and in accordance with the second notice of
 the Committee they will confine themselves so far as possible
 to those parts of the Recommendations which affect the Uni-
 versity, although in isolating this branch of the subject from
 all recommendations which affect the Colleges, they fear it will

Rev. C.P. Chretien & others. be impossible to do full justice even to the particular and special subject which is now submitted to them.

They would be understood to express their concurrence with all the recommendations of the Commissioners which the following observations do not expressly notice. They are quite willing that this statement should be printed, as indeed they would learn with regret that any communications whatsoever on a matter of such public interest should be offered with the view of their being withheld from public observation.

RECOMMENDATIONS II. III.

They accept the main proposals of the Commission respecting the Constitution of the University. But as they desire to exclude the possibility of doubt as to the construction of the language of one Recommendation, and as they think that a slight modification of the plan on other points may be preferable even to the scheme as it now stands, they take leave to offer their views in the following substantive terms:

A Body is to be formed which shall bear the name of Congregation, and which shall consist of all Heads of Houses, all Professors and public Lecturers, and the Senior Tutors of all Colleges and Halls. This Body shall meet at least once in the Term on fixed days. No measures shall be proposed to Convocation for acceptance or rejection except such as shall have been first passed by this Body. And all measures so passed shall be submitted to Convocation for acceptance without amendment, or for rejection, and shall in the event of such acceptance become Law. The members of Congregation shall be allowed to conduct their discussions in English.

This Body shall be empowered to appoint delegacies for discharging functions usually belonging to the committees appointed by deliberative assemblies. It shall also be empowered to appoint Standing Delegacies, intrusted with Executive functions; one part of such Standing Delegacies consisting of members to be nominated by the Vice-Chancellor and Proctors, and to be approved by Congregation; the other part of such delegacies, consisting of official members, to be designated directly by Congregation.

In addition to the Standing Delegacies so appointed, the Hebdomadal Board shall constitute one Standing Delegation,

wholly official, for managing the discipline of the University; *Rev. C. F*
 and the University Professors shall constitute one other Stand- *Chretien*
 ing Delegacy, wholly official, for the management of public *& others*
 Libraries, and the supervision of Studies. The Hebdomadal
 Delegacy shall be at liberty to commit its functions to any
 Sub-Delegacy appointed out of its own members; and the
 Professorial Delegacy shall, until the Examinations are or-
 ganized in harmony with the proposed Faculties and Schools,
 appoint Standing Sub-Delegacies out of its own body for the
 appointment of University Examiners in all branches.

One third part of the non-official members of all Standing
 Delegacies shall retire every year, and be reeligible after one
 year's retirement from office.

The powers of Convocation as a Legislative Body shall re-
 main in their present state.

RECOMMENDATION X.—Some of the undersigned are of
 opinion that the immediate extension of the University will be
 best effected by the adoption of those means which shall give
 wider range and more efficient cultivation to the studies, freer
 reward through open Scholarships and Fellowships to industry
 and merit, and greater efficiency to the Colleges by the im-
 provement of their educating Members, and the reasonable
 reduction of their expenses. At the same time they look for-
 ward to the carrying out ultimately of the proposal of the
 Commissioners that Undergraduates should be allowed to live
 in Affiliated and Independent Halls, and under special per-
 mission of the University in lodgings unconnected with Col-
 leges under such safeguards as the Commissioners provide, viz.
 special licenses from the Vice-Chancellor to Independent
 Halls, the exercise of an active control over lodgings by Uni-
 versity officers, and the due moral and religious superintend-
 ence of Tutors or Guardians over their inmates.

On the other hand some of our number, viz. Professor
 Vaughan, Mr. Congreve, Mr. Pattison, Mr. Maskelyne, and
 Mr. Conington, whilst they cordially concur in the proposed
 reforms of the Colleges, wish to express their acceptance of
 the Commissioners' Recommendations on this point without
 qualification or indefinite postponement; being of opinion that
 no serious obstacle can present itself against the organization
 of a due moral superintendence on the part of the University,

Rev. C. P. Chretien & others. and thinking that the partial development of this plan under such conditions would open just and favourable opportunities to more than one class of students, while at the same time it would tend indirectly to stimulate the improvement and extend the range of the Colleges themselves.

RECOMMENDATION XVI.—They are of opinion that the proposed plan would be improved if by a very slight change: the Recommendation should stand as follows:

That the appointment to newly created Chairs should be given to the Crown. But that the appointment to existing Professorships should be left in the same hands as at present; except that those vested in Convocation, in the Graduates of Divinity, and in the Heads of Houses, should be transferred to Curators appointed by Congregation.

As to Recommendation XIV, they are of opinion that the requisite number of Professorships should be provided, and the endowment of Professorships already existing, when inadequate, should be increased; the several Colleges contributing in a due and equitable proportion, whether in the form of a tax upon their resources, or in certain cases by the attachment of one or more Professorships to the foundation, according to the precedent set by the Founders.

CHARLES P. CHRETIEN, Oriel.

RICHARD CONGREVE, Wadham.

JOHN CONINGTON, University.

W. F. DONKIN, Savilian Professor of Astronomy.

THOMAS F. HENNEY, Pembroke.

NEVIL STORY MASKELYNE, Wadham.

MARK PATTISON, Lincoln.

BARTHOLOMEW PRICE, Pembroke.

GOLDWIN SMITH, University.

HENRY H. VAUGHAN, Regius Professor of Modern History.

J. M. WILSON, Professor of Moral Philosophy.

*From the Rev. Martin Joseph Routh, D.D., President
of Magdalen College.*

DEAR MR. VICE-CHANCELLOR,

I SEND with my respectful compliments for the information of the Committee of the Hebdomadal Board "on what are the particular circumstances respecting Readerships or Professorships in Magdalen College for the service of the University," a copy of the College Statute relative to our Lectures in Divinity, and Moral and Natural Philosophy. As to "what is the actual state of such Readership or Professorship at the present time," I answer, that the usage has been ever since and before I was a member of the College for our Lecturers to read each of them only one Lecture at the end of every Term. But it appears by bishop Morley our Visitor's Injunctions given in 1663, that the Lectures were directed by him to be given once in every week, instead of the times mentioned in the Founder's Statutes. 'This injunction he sends, they are his own words, 'pro ratione temporis,' referring, I apprehend, to the change which had taken place in education, conducted, as it now is, principally by Tutors, persons unknown to the Statutes of Magdalen College.

*Rev. Dr
Routh.*

I remain, Mr. Vice-Chancellor,

With great respect,

*Magdalen College,
Jan. 20, 1853.*

Your faithful and obedient servant,

M. J. ROUTH.

DE OFFICIIS LECTORUM, ET EORUM ELECTIONE.

(Cap. 30.)

"ITEM quia diligentem profundam et assiduam informationem non modo Scholarium et Sociorum nostri Coll. præ-

Rev. Dr. Routh. “dicti, verum etiam omnium et singulorum aliorum Schola-
 “rium Philosophiæ et Sacræ Theologiæ præcipue facultatibus
 “in Universitate Oxon. insistentium, eorundemque in dictis
 “scientiis et facultatibus profectum, et celerem expeditionem,
 “summo et ferventi cordis desiderio affectamus; Statuimus,
 “Ordinamus et Volumus, quod futuris temporibus sint in
 “Coll. nostro prædicto tres Lectores, gratis lecturi, moribus
 “et scientiis perornati. Quorum duo sint Artium Magistri,
 “qui Philosophiam palam et publice legant omnibus et sin-
 “gulis Scholaribus, tam nostri Coll. quam etiam aliis Secula-
 “ribus et Regularibus ad dictum Coll. undecunque confluen-
 “tibus et dictas lecturas audire cupientibus, ab Auditoribus
 “nihil exigendo; Ita viz. quod unus dictorum Artium Ma-
 “gistrorum omnibus diebus pro festis in pleno Terminò, a
 “festo Sancti Dionysii usque ad septimum diem Julii, et a
 “septimo die Julii usque ad festum Sancti Petri quod dici-
 “tur ad Vincula, philosophiam legat naturalem, incipiendo
 “circa horam sextam in Aurora. Alius vero Philosophiam
 “legat moralem, vel Metaphysicam secundum limitatio-
 “nem Præsidentis, seu ipso absente Vicepræsidentis, et
 “duorum decanorum, incipiendo circa horam primam post
 “meridiem, secundum quod exigit profectus scholarium,
 “suas lecturas continuando, Tamen volumus et concedimus,
 “quod quotiens et quandiu Præsidenti vel ipso absente
 “Vicepræsidenti et duobus Decanis utile et expediens vide-
 “bitur, ambo dicti lectores naturalem Philosophiam licite et
 “libere legere valeant. Tertius vero dictorum trium lecto-
 “rum, sacræ Theologiæ Doctor, Bacchalaureus, vel in sacra
 “Theologia scholaris, sacram theologiam omnibus et singulis
 “Scholaribus illuc undecunque adventantibus, et ipsam lectu-
 “ram audire volentibus, palam et publice legat, sumptibus et
 “expensis nostri Coll. prædicti, lecturam suam circiter ho-
 “ram novenam incipiendo. Ad quas lecturas præfatas lecto-
 “res omnibus et singulis diebus et horis prænotatis fideliter et
 “indeficienter arctari Volumus; nisi forsitan ex causa rationa-
 “bili et legitima, per Præsidentem, seu ipso absente Vice-
 “præsidente, ex unanimi assensu duorum Decanorum appro-
 “bata, vel infra triduum approbanda, dictas lecturas aut ea-
 “rum aliquas vel aliquam aliquo dierum prædictorum omitti,
 “aut in alias horas deferri, vel anticipari oportuerit. Quo-

" rum quidem duorum Philosophiæ Lectorum, dummodo *Rev. Dr*
 " Socii nostri Coll. extiterint, præter et supra communas, *Routh.*
 " vestium liberatas, ac omnia ac singula proficua et emolu-
 " menta, quæ de dicto Coll. alias essent percepturi, pro suis
 " laboribus sex libras et tredecim solidos et 4^{or} denarios;
 " Lectorem vero Theologiæ, præter et ultra communas, de-
 " cem libras bonæ et legalis monetæ Angliæ, ad quatuor anni
 " terminos de bonis communibus dicti nostri Coll. pro suis
 " Salariis per manus Bursariorum percipere volumus. Quos
 " quidem Lectores et eorum quemlibet ad officium legendi,
 " quoties opus fuerit, eligi Volumus modo, ordine, et forma
 " superius descriptis in electione Vicepræsidentis. Præterea
 " Statuimus, Ordinamus, et Volumus, quod si iudicio dicti
 " Præsidentis et tredecim Sociorum seniorum Nostri Coll.
 " vel iudicio Præsidentis et majoris partis dictorum 13^{cim}
 " Seniorum, unus vel plures de dictis Lectoribus ab onere
 " suæ lecturæ ex causa rationabili amoveri debeat, vel de-
 " beant; facta prius honesto modo dicto Lectori vel dictis
 " Lectoribus monitione quod sponte sua cedat vel cedant offi-
 " cio legendi, ipso lectore vel ipsis lectoribus non parente vel
 " non parentibus dictæ monitioni, tunc ille lector vel illi lecto-
 " res omnino a sua lectura cesset vel cessent, quem vel quos
 " dictus Præsident et dicti 13^{cim} Seniores vel dictus Præsi-
 " dens et major pars dictorum tredecim ab hujusmodi officio
 " cessare decreverint. Insuper Statuimus, Ordinamus, et Vo-
 " lumus, quod si extra Collegium in Universitate Oxon. pro-
 " vectiores, aptiores, et excellentiores, quam intra Coll. no-
 " strum, Lectores ad legendum Theologiam et Philosophias
 " inveniantur; et numerus Sociorum et Scholarium nostri
 " Coll. sit completus, tunc ultra prædictum numerum Socio-
 " rum et Scholarium volumus dictos provectiores lectores, pro
 " prædictis salariis ipsis pro lecturis et disputationum interes-
 " sentiis, ac instructionibus, et informationibus in iisdem faci-
 " endis assignatis et provisus, ad dictas lecturas assumi; ultra
 " communas septimanales sociorum, quas hac præsentis nostra
 " ordinatione ipsis allocamus; si alia utilior conventio nostro
 " Coll. per Præsidentem non possit fieri. Quos quidem Lec-
 " tores extra nostrum Coll. et ultra numerum prædictum Socio-
 " rum et Scholarium nostri Coll. sic assumptos in loca Socio-
 " rum et Scholarium cedentium vel decedentium proxime

Rev. Dr. Routh. “ Vacantia cujuscunque fuerint Comitatus aut Dioceseos, si
 “ velint aut possint, volumus subrogari, Statuto nostro super
 “ Diocesibus et Comitatibus considerandis, in electione Socio-
 “ rum et Scholarium in aliquo non obstante. Præterea pro
 “ fælici continuatione dictorum lectorum, ac informatoris in
 “ grammatica, et pro salario et stipendio eorundem, providere
 “ cupientes, quoties et quandiu pro tempore magnæ et gravis
 “ pestis, (cujus magnitudinem et periculum æstimari et judicari
 “ volumus per discretionem Præsidentis, aut in ejus absentia
 “ Vicepræsidentis, et majoris partis Seniorum nostri Coll.) per
 “ quos sic (ut præmittitur) si aliquis locus et numerus Schola-
 “ rium nostri Coll. deputatus fuerit extra Universitatem Oxon.
 “ pro continuatione studii et Lecturarum, ubi ipsi Lectores et
 “ informatores parati sunt cum effectu suas lecturas continuare,
 “ et Scholares informare tunc Volumus, et Ordinamus, quod
 “ ultra communas limitari solitas percipient pro salariis suis
 “ juxta ratam temporis, quo sic lecturis suis intendere cura-
 “ verint; ac si lecturas ipsas in Universitate continuassent.
 “ Ipsi vero Auditores sui, qui de majore et minore numero
 “ Scholares nostri Coll. extiterint juxta ratam temporis, et per
 “ discretionem Præsidentis vel in ejus absentia Vicepræsidentis
 “ et majoris partis Seniorum, dum sic (ut præmittitur) congre-
 “ gati modo honesto et pacifico se gesserint, et Lecturis suis
 “ diligenter intenderint, pro communis percipiant, prout reci-
 “ pere in Collegio soliti sunt; non obstantibus nostris statutis in
 “ contrarium editis.”

*From the Rev. E. Hawkins, D.D., Provost of
Oriel College.*

DEAR MR. VICE-CHANCELLOR,

IN many or most cases the Report of your Committee will probably convey what I might have wished to state respecting the Recommendations of Her Majesty's Commissioners; but there are yet one or two subjects upon which I may venture to offer information, or express an opinion, as an individual Member of Convocation.

*Rev. Dr
Hawkins*

I.—ORIEL COLLEGE.

And first with respect to my own College. With great reluctance, but under a belief that the Commission itself was of an unconstitutional and therefore dangerous character, I refrained from returning any answer to the inquiries of the Commissioners. I must not therefore complain if the account they have presented of Oriel College is both incomplete and inaccurate; but I would correct one or two of their observations and inferences.

1. In the general Recommendation of the Commissioners (Report, p. 148) respecting the propriety of alterations in College Statutes I concur; but the argument in its favour is scarcely strengthened by the fact here stated, that "Oriel from a few months after its foundation was governed for four centuries by a code which had supplanted that of its royal Founder;" since, notwithstanding this very extended period of usurpation, the Law prevailed at last, and the usurping code was actually set aside in obedience to a decision of the Court of Common Pleas in 1726. In what way the altered Statutes were originally introduced cannot now be ascertained. But whether they were framed by the College and its virtual Founder, Adam de Brom, in order to conciliate the support of the then Bishop of the Diocese, (a powerful partizan of the

Rev. Dr. Hawkins. French party which had just prevailed over the unfortunate Edward II,) or whether they were imposed upon the College by the Bishop who was by these new Statutes constituted their Visitor, at any rate they came in during a period of political violence, and, notwithstanding the sanction they received at different times from the Sovereign, they gave way at length before the majesty of the Law—an argument rather for the inviolability of College Statutes than for their alteration.

Again, the ancient state of the College is described (pp. 199, 200) in accordance with the prescriptions of this altered code, and not incorrectly, it may be presumed, with reference to the period of its authority. But the description suggests erroneous conclusions. For the Commissioners say, “The chief points, it is believed, in which the Ordinances of these two Codes (of 1326 and 1330) differ from those now in force, are that in the Statutes now in force Latin alone is to be spoken without the alternative of French; and that the authority of the Crown is every where substituted for that of the Bishop of Lincoln.” Now in fact the most important change of all was this; the power given to the College by its original Statutes to make new Statutes was restricted in the new Code by the sanction of the Bishop of Lincoln being made necessary to the validity of such new Statutes, whereas the sanction of the Crown is not at all required for their validity. Let me quote the clause at length from the original Statutes, for it might be made the model of similar clauses in College Statutes, and without some power of this kind no institutions can flourish permanently, and meet the changes of society during successive centuries. “*Cæterum quia casus omnes futuri ab initio certa lege includi non poterant, seu Statuto, idcirco volumus et ordinamus ut si quas observancias, vel statuta salubria et honesta per Prepositum et decem vel octo Seniores et discreciores dicti Collegii, de peritorum consilio, ad utilitatem et conservacionem institutionis presentis imposterum provideri contigerit, eas omnes et singuli de dicta domo futuris temporibus observare absque contradictionis obstaculo teneantur.*”

This liberal enactment is copied literatim from the wise Statutes of Walter de Merton, with which indeed the Oriel Statutes are almost identical. And these Statutes almost always avoid details. They are short and general, and in

this respect also differ from the second Oriel Code which was more particular; and several of the minute points accordingly noticed in pp. 199, 200, of the Commissioners' Report are not ruled at all in the Statutes now in force. For these Statutes say nothing of weekly disputations, or any other particulars of study; do not require the Scriptures to be read during meals, nor the Fellows to speak Latin. It was merely when they studied in common chambers, that, to prevent interruption, if they had occasion to speak, they should, as far as might be, speak in Latin. And so in other cases, (and they are few,) when particular directions are given in the original Statutes, some qualification of this kind is introduced, and the direction is not peremptory or oppressive.

I see no reason accordingly for concurring in the recommendation of the Commissioners "that the oath to observe the Statutes should be prohibited." In the case of young men "in statu pupillari" such an oath of obedience is unnecessary, for obedience can be maintained by discipline; but in Collegiate institutions for grown men the religious obligation of the oath was, I apprehend, wisely introduced by the Founder, and is important towards the maintenance at once of obedience to the Founder's will, and of harmony within the Society.

Nor is it necessary "that the Provost and Fellows should be released from the obligation of performing any obsolete duties enjoined in the Statutes;" for I recollect none so enjoined. There are some details, indeed, as to the calculation and collection of the College revenues not now executed to the letter, but so far fulfilled in their spirit, that I do not find that the consciences of my predecessors were pained by them; but if such details should be thought worthy of alteration, they might be altered by the power already conveyed to the College as above mentioned. The Commissioners refer indeed to a provision for the celebration of masses for our Founders and Benefactors on the three Chapter days, but this has been superseded by the law of the Land. And this also, it deserves to be remarked, is the only clause throughout the Statutes in which any Romanist doctrine or practice is touched upon; with the exception at least of a kind of Appendix to the Statutes, touching the Services, and the duties of certain Chap-

*Rev. Dr.
Hawkins.*

Rev. Dr. Hawkins. lains, at St. Mary's, which have also been set aside by the laws of the land and the Church.

2. Secondly with respect to our Fellowships, their number, and the restrictions with which they are accompanied, one or two corrections must be made. Thus it is stated by Mr. G. Smith (Statement p. 8.) that "at Oriel and Merton, where orders are not required by Statute, they have been imposed on the majority of the Fellows by a bye-law of the College;" which implies, I apprehend, that we have contravened the intentions of our Founders, where we have in fact observed them religiously. For what is here and in other places termed a "bye-law," is in reality a new "Statute," framed under the power granted in that remarkable clause of the original Statutes which has been already cited; and not without the sanction of eminent Lawyers, (for so we practically apply the phrase "*de peritorum consilio*,") expressly consulted on the subject, and made fully acquainted with the Statutes themselves. And the spirit of those Statutes, (since the Foundation was mainly intended for Students in Theology), can scarcely be fulfilled in modern times except by such a provision. But if so, then there must of necessity be a limit within which the Fellows must be required to take Holy Orders; and the limit established by this new Statute is six years from the time at which any Fellow might have become a Regent Master.

If we have any where set aside the spirit of our original Statutes, it is rather perhaps in our not requiring three of our Fellows, who are admitted to the study of Law or Medicine, to take Holy Orders at all; for such Students were originally Ecclesiastics. But I trust that in this instance also the true intention of the Statutes is sufficiently observed.

The restriction in question, I would add, appears to me wise in itself, as well as accordant with our Statutes. It is well that persons should determine their profession before they are thirty. And if some persons have been in part induced by their Fellowships to take Orders, who might otherwise, possibly, have entered into other professions, it by no means follows that they have been influenced by unworthy motives, or that they will not become worthy Clergymen. I dissent accordingly from

the language adopted in p. 163 of the Report upon this subject. *Rev. Dr
Hawkins*

At Oriel, within my recollection of the College, extending through forty years, I remember only one person, (the present Professor of Modern History), excluded from a Fellowship through this restriction. It is possible that this circumstance may have in some places influenced his Evidence. Certainly, we were much concerned that he could not obtain a Law-fellowship, by which we should have retained him in our Society; but the restriction itself seems essential to the maintenance of the Society for the purposes designed by the Founder. At this moment, (and the case is usually much the same,) whilst the Founder speaks expressly of ten Divinity Students, we have only 8 out of 18 Fellows in Holy Orders.

Again, it is stated by the Commissioners (Report, pp. 199, 200.) that "The number of the Fellowships was to be increased with the increase of the revenues;" but that "the number of Fellows on the original Foundation has never, so far as we can ascertain, been increased with the increase of the revenues. But several Fellowships have been engrafted by later Benefactors." This is calculated to give an erroneous impression of the fact. The number of Fellowships was to be increased or decreased according to the state of the revenues. I am not aware that the number was ever either increased or diminished whilst the property of the College remained what it was in the time of the Founder or of Edward III. who made some addition to the property, but not to the number of Fellows. The revenues, it may be presumed, did not so increase as to admit of the addition of new Fellowships; since from time to time (so early as 1329, as again in 1364 and 1504) grievous complaints were made of the inadequacy of the Fellows' allowances in consequence of the dearness of provisions; and the allowances were accordingly augmented by the Visitor.

But, with one exception, whenever new property was added by new Benefactors, Statutes were passed by the College, and sanctioned by the Visitor, reciting the clause referred to in the Statutes, which provided for a variation in the number of Fellows, and adding so many new Fellowships as those Benefactors expressly specified; the new property being incorporated

Rev. Dr. Hawkins. with the previous possessions of the College, and the old and new Fellows sharing equally in their proceeds. Eight Fellowships were thus added in 1441, 1476, 1507, and 1529. The single exception alluded to occurred in 1504, when a Statute was passed, and confirmed by the Visitor, providing that an estate then added should be destined, not to the foundation of a new Fellowship, but to the augmentation of the allowances of the existing Fellows, on account of their inadequacy to the purposes of the foundation.

In the case of six out of the eight Fellowships added as above mentioned, a preference was given by the several founders to natives of particular districts, some of them of very great extent; the counties of Somerset, Dorset, Wilts, and Devon; the ancient diocese of Worcester, which included the present dioceses of Gloucester and Bristol; and the ancient diocese of Lincoln, which included more than eight counties. But the Commissioners, having complimented the College upon its having been "the first to throw open to general competition such of its Fellowships as were freed from local restrictions," have presumed to add, "In some instances, we believe, the limitations of the six close Fellowships have been evaded by electing into them persons from the open Fellowships, who happened to be natives of the favoured localities," and they then recommend, "that the circuitous mode above described, of evading the local restrictions attached to some of the Fellowships, should be rendered unnecessary by a direct removal of those restrictions."

I venture to dissent from their recommendation; and I think they should have paused before they thus accused the Society, upon mere hearsay evidence, of a breach of trust.

The Statute which must have been alluded to, a Statute passed with the same sanctions which have been mentioned before, merely provides, that in the event of any one being elected not a native of a favoured district, (in consequence of there being no candidate, or none sufficiently qualified, from the district,) and being therefore regarded for the time as the representative of that locality, yet if it should so happen that one actually a native of the district shall be afterwards elected, he shall take the place of the former. It may happen, or it may not, that another vacancy for the district in question may

be thus deferred. But there is not the slightest ground to suspect that to defer a vacancy, or evade a trust-duty, was the design of the Statute, which really referred only to the number of Fellows eligible at a given time from the same county. What degree of preference is due to candidates from a favoured district must depend upon the terms of the particular trust. With us the terms differ in different cases. They may have been, and I have thought they have been, in some cases construed too loosely; but still not without regard to what the Trustees for the time being supposed to be their scope. And we take more care to make the vacancy generally known in the case of a close Fellowship than in any other.

Far, however, from being desirous that these restrictions should be removed, I for my part do not merely pay regard to the Founder's intentions as such, but consider them in themselves as rather beneficial than otherwise. They have not much interfered with our choice even as to intellectual merit. But we have never professed to regard mere intellectual ability or attainment as the sole criteria of fitness for a Fellowship. An examination of a student of one or two and twenty is in fact a poor test of the real worth of the man, his good sense, and his capacities for future usefulness. Different Electors will of course not agree exactly in their estimate of fitness. We hold ourselves bound to one another not to elect from favour or personal connexion. But our Statutes direct us to the consideration of moral and social worth, and the need of the Candidate, as well as of his intellectual merit, and even to the consideration of moral more expressly than intellectual qualifications. We think indeed that "indigentes" (standing in need of the Fellowship) does not precisely answer to the English word "indigent;" and we do not cease to observe, therefore, according to our judgment, the restrictions of Fellowships in this particular. But I conceive variations in circumstances, abilities, and attainments to be beneficial; and look upon the close Fellowship as only one element in the amount of such variations, which are useful even in a small society upon the same principle that they are so in the world at large.

The Commissioners conclude with the expression of their opinion, "that the College should be empowered to suppress

Rev. Dr. Hawkins. a sufficient number of Fellowships to endow twelve Scholarships, of the value of £50 a year, tenable, as in other Colleges, for five years." For which they subjoin this remarkable reason: "The College, from the want of such a Foundation, does not obtain such success in the Examination Schools as might be expected from the character of those from whom its Fellows are taken."—The fact I admit; but it appears to be no good argument for the proposed suppression of Fellowships.

Some years since, we had more Fellow Commoners than we have had of late, and these had no temptation to quit the Society, which had therefore the credit of such academical distinctions as they obtained. But our more promising Commoners continually desert us for Exhibitions and Scholarships in other Colleges, which thus obtain the credit of any distinctions which our former pupils may acquire. The first Ireland Scholar was of Oriel the day before he gained the Scholarship, but he had been elected into another College, and his name was announced to the University accordingly on the day the prize was awarded. In the last list of Classes, two appeared in the First Class as of other Colleges who had been originally pupils of Oriel. And so in other instances. But this is of no consequence at all to the public at large, which is only interested in the amount of scholarship and of industry produced, not in its having been encouraged and fostered in this or that society. Nay, after all, found as many Scholarships as you will in all the several Colleges, you will distribute the more distinguished young men more equally among the several Societies, but you will not greatly increase the general improvement of the students, still less the amount of industry and talent which shall attain academical distinction. The successful competitors in the Schools can never be more than a certain proportion of the whole number of students.

But success in the Schools is not an end but a means. This suggestion, I would admit, is not so much at variance as some others with the spirit of our Statutes. But I do not know that it would tend to any important public good. And if our Fellowships are useful stimulants to honourable exertion in the University at present, if you suppress any of them, you diminish pro tanto the general academical advantage. And it

may be doubted whether we could, as a College, afford to lose any of our present Fellowships. We desire, for example, to have always four Tutors, or three Tutors and a Mathematical Lecturer, who may be a younger man. But we cannot always supply that number from our own body. We average two vacancies in a year; and the more frequent changes occur among our younger Fellows. Hence there will be always some too young for tuition, and others will have already acted as Tutors for a time; whilst some will be lawyers, or better suited to other duties.

At this moment one of the Tutors is not a Fellow; and this has been the case before, though I should not think it usually desirable; and of the eighteen Fellows, five have retired from tuition, two are Tutors now, three are lawyers, three are only in their year of probation, and one Fellowship is vacant; so that not more than four Fellows remain who could be called to the office of Tutor, and two of these have not been actual Fellows during a full year.

Admitting therefore that the suggestion would not be violent, and might tend to some good, I doubt whether it is altogether salutary, and worthy of adoption.

And I make no apology, Mr. Vice-Chancellor, for these details, because they bear in fact, or by analogy, upon other Colleges also, upon which you will, probably, receive no reports. These observations, indeed, might be easily extended, and other inaccuracies, if I mistake not, pointed out in the Report; such, for example, as the description generally of Fellows of Colleges, as "members of a community subject to a rigid rule of life," (p. 143.) which would not apply to my own College or to Merton, if to any others; or the statements, too broadly made, I apprehend, that the period of probation has become almost a form, (Mr. G. Smith's Statement, p. 7;) that restrictions on property have been applied only to real property; and that the restriction of Fellowships to indigent persons has ceased to be observed. Mr. Smith is well acquainted with one instance at least, in which it has prevented the election of a candidate otherwise most deserving of the Fellowship which he sought. My experience also by no means coincides with the Commissioners' account of the elections to Headships, which often appear to have been made upon the

*Rev. Dr.
Hawkins.*

Rev. Dr. Hawkins. most laudable grounds, and from no interested motives. And I should think the transfer of all these appointments to the Crown (Report, p. 183.) most unsatisfactory, and much to be deprecated. But I hasten to matters more directly connected with the University.

II.—SCHOOL OF THEOLOGY.

(Report, pp. 71-74; Tabular View, Appendix, p. 60.)

In the New Theological Statute of 1842 and 1847, I am bound for many reasons to take the most lively interest; and I cannot but concur with Mr. Hussey in thinking that the Commissioners are greatly mistaken in stating that it has failed.

They seem, in fact, to have confounded the means with the end; and, because the *Examination* has not succeeded, to have concluded that the system of instruction, the real object of the Statute, had also failed, which is surely not the fact.

An Examination at the close of the Theological course would, no doubt, be desirable to excite attention and keep it alive during the continuance of the Lectures, and to encourage accurate thought, and a systematic comprehension of the subjects of instruction. But these objects may be attained without Examinations; and, indeed, Examinations are not without attendant evils, and may easily lead, and do in practice continually lead, to the diminution of manly study, suggesting inferior motives, and stimulating an exorbitant attention to minute and comparatively unimportant subjects.

Those who framed the Statute of 1842 however, believing that an Examination might be useful upon the whole, introduced it accordingly. But aware that a mere voluntary Examination, leading to nothing within the University, could not possibly succeed unless it were encouraged from without, they did not venture to do so until they had received through the late Abp. of Canterbury satisfactory assurances of support from several of the Bishops. Other Bishops might generally require or encourage attendance upon some of our courses of Lectures, and might afford some encouragement also to the Examination; but the Bishops of Oxford, I venture to think, might very well require that all those who chose to bring their

Oxford Fellowships as *titles for Orders*, (it not being imperative upon Fellows of Colleges that they should produce this kind of title,) should have gone through the course of study, and submitted also to the Examination, prescribed by their University.

*Rev. Dr.
Hawkins.*

But the Bishops have not hitherto afforded that encouragement which had been expected in 1842. And, it being understood that they had declined to do so on account of the additional residence at Oxford, which the Statute required of such students at least as desired to pass the prescribed Examination, the Statute itself was altered accordingly in 1847. The number of Lectures required in each week was reduced from four to three, in order that the students might with greater convenience and profit attend two different courses of Lectures at the same time; and instead of requiring attendance upon six courses of Lectures, and an interval of four Terms between the students' Examination in Arts and his Theological Examination, the altered Statute merely required that he should have attended four courses of Theological Lectures, two of which he was at liberty to attend during the same Term.

The Commissioners appear to have been ignorant of the passing of this Statute of 1847. Possibly some of the Bishops are also unacquainted with it. But its effect as to residence is such, that it becomes possible for a student to complete all that is now required to qualify him for the Theological Examination without any additional residence whatsoever beyond what is now required for the first degree in Arts. And if he is not very likely to do this, he may at any rate with great ease satisfy all the requisitions of the altered Statute with not more than three weeks, or at most a single term, of residence, beyond what is otherwise necessary for the first and second degrees in Arts.

The Examination itself may perhaps be encouraged hereafter, when these circumstances shall become generally known. But whether this shall prove to be the case, or not, the great object of the Statute has been actually effected. Continual instruction in Theology, and in several branches of the subject, and of a systematic character, has been given in Oxford during six weeks in every successive Term during the last ten years, and numerous students have availed themselves of it. Some

Rev. Dr. Hawkins. encouragement, I rejoice to add, has always been afforded to the new system, by the Bishops of Oxford from the first, by their expecting Candidates for Orders, who were Fellows of Colleges, to attend at least two courses of the new Lectures; and this has probably induced some Students to seek a certificate of attendance, and therefore necessarily to attend throughout a six weeks' course, and at sixteen Lectures at least in each course, who might otherwise, perhaps, have failed to attend throughout the whole number of Lectures required. But, what is more satisfactory, the greater number of students have attended simply of their own accord; and their voluntary studies have been likely to be the most honest, and liberal, and profitable.

The attendance upon my own Lectures has, indeed, been small; about 150 students in five years; above 100 of whom have received certificates according to the Statute; that is to say, have attended all the required Lectures through six weeks in each Term, and have satisfied me, (which the Statute also requires,) as to their attention to the subjects under consideration, the greater number of Lectures being not mere general Lectures, but catechetical.

But Mr. Hussey states that in the preceding ten years during which he has delivered Lectures upon Ecclesiastical History, (or rather, for the most part, has read Ecclesiastical History catechetically with his Classes, usually if not always two Classes in each term,) 450 Students have attended his Lectures. And he justly remarks that the fruit of his exertions will appear hereafter in some better way than by mere Academic Examinations.

The Professor of Pastoral Theology during the same period has numbered 1135 attendants upon his Lectures, not including such hearers as did not attend all or the greater part of his Lectures in each Term. Some of these students have indeed attended two or three different courses of his Lectures; and, striking these off, he calculates that at least 900 individuals, perhaps nearly 1000 have attended his Courses of Lectures in the last thirty-two terms.

And this will not include the whole number of Students at present attending the Lectures of the Oxford Divinity Professors; since not to mention those who attend the short public

course of the Regius Professor of Divinity, and omitting also those who study under the Professor of Hebrew, the present Regius Professor has always had private Classes attending Lectures during the full period prescribed by the new Theological Statute. His hearers have amounted to 175; whilst several students, (usually about 50 in every Term) attend also the shorter courses delivered by the Lady Margaret's Professor. But to speak of those alone who have availed themselves of the instruction provided by the Crown, the University, and Dean Ireland, in part during the last ten years, and partly during five, if the number of hearers has been nearly 1700, or say 1200, or even 1000, it cannot be said with justice that the Statute of 1842 has failed. It were to be wished, no doubt, that more should be done; but it can scarcely be questioned that much good has been already effected.

*Rev. Dr.
Hawkins.*

With a view to increase the efficiency of the Statute it has been suggested that certificates should be given of an examination by each Professor of his own hearers at the close of *every Term*. The greater part of the Lectures being catechetical, some kind of examination of course takes place constantly; and this, which is implied in the present form of certificate compared with the terms of the Statute, might be expressed, perhaps, more distinctly. But it seems to me undesirable that a formal Certificate of examination should be given by a University Professor after so short a period of instruction as a six weeks' course, and that in a single branch of Theology.

It would be scarcely a departure from the intention of the Statute, and would adapt its requisitions more exactly to the change introduced by the recent Examination Statute, if students were allowed to become Scholars in Theology immediately after their examination in the School of *Literæ Humaniores*, without waiting for their examination in the second school prescribed by this Statute^a. Many students will probably defer for half a year their appearance in the second school, and may with advantage attend some Divinity Lectures in the interval. So that the number of Hearers may thus be increased, with little if any departure from the intention of the present Statute, and with an increased accommodation of the regulations to

^a The University has adopted this alteration, since these remarks were written.

Rev. Dr. Hawkins. the students' period of residence. To diminish the number of Lectures or Courses of Lectures, as some have desired, would be, as it appears to me, and indeed to the other Professors, to sacrifice the end to the means.

To these observations upon the New Theological Statute I could wish to add a very few words respecting the mode of appointment to the Professorship which I have the honour to hold. For the Commissioners, in p. 105 of their Report, observe that, "as only one election has taken place to this chair, and as this is the only nomination to a Professorship in the gift of the Heads of Houses collectively, it would be premature to offer an opinion on the advantages or disadvantages of such a mode of patronage." Nevertheless in the very next page they suggest that the nomination might be "transferred to the remodelled Congregation;" and this suggestion becomes a positive recommendation, apparently, in p. 257, No. 16; there being no other Professorship, according to their own statement (p. 105), and their table (Appendix, F. p. 60), to which the Recommendation can apply.

Now it is certainly very possible in some cases that "if the wishes of the Founders are to be fulfilled, the letter of their wills must be set aside." (Report, p. 107.) But this at least is not a principle that can be applied to a will dated so lately as January 1842. The late Dean Ireland, moreover, was not only a munificent, but in every sense of the word, a liberal benefactor: witness the freedom of judgment left to the Convocation in the Regulations for his Scholarships, and in the extract from his Will approved by Convocation in 1843, (Oxford Statute-book, Addenda, p. 333). He could not anticipate, it is true, the project of a remodelled Congregation. But he was well acquainted with the University, and had bestowed some consideration upon this particular provision in his Will. The terms of the Will are, "And I further direct that the said Professor shall be appointed by the Heads of Colleges and Halls, and not by a smaller body of Trustees, or the University at large." I cannot construe these words as conveying any intimation of a design to vest the appointment in some new body intermediate between a small number of Trustees, and the Convocation, but as expressly directing who should appoint his Professor, with some intimation of his

reason for such direction. I cannot, therefore, but regard this attempt of the Commissioners to interfere with his intentions, and that within so very few years after his decease, as an example of that want of respect for the Wills of Founders, and for whatever is actually established, which frequently tarnishes their able Report.

*Rev. Dr.
Hawkins.*

The Commissioners' GENERAL RECOMMENDATIONS.

III. There are yet one or two points respecting the University at large upon which I would offer a few observations.

University Statutes.

1. It is implied in Recommendation No. 1 that some limitation upon the power of the University to alter Statutes in respect to a few fundamental articles is desirable. I know not indeed what "other superior authority" is intended besides the Sovereign; but it does appear to me desirable that the consent of the Sovereign should be required for the alteration of a very few fundamental articles in the Constitution of the University. It is so at Cambridge; and Dr. Whewell, one of the very highest authorities upon these subjects, considers the principle sound and wholesome, although in the instance of the Cambridge Statutes it has been extended too far. Few things can be more unwholesome in a place devoted to study, education, and discipline, than continual discussions about the respective powers of different classes, or adjustments of their constitutional functions.

But that the University, on the other hand, should have full and independent power to make, and abrogate, and alter all its other Statutes, appears no less desirable. And it was with great regret, accordingly, that I was led in 1836 to entertain considerable doubt as to the power of the University, without the consent of the Crown, to alter not merely the three special "Caroline Statutes," as they have been commonly called, but all other Statutes comprised in the Laudian Code. I endeavoured, but in vain, at that time, to induce the Board of Heads of Houses and Proctors to draw up a fair case, and obtain the opinion of the most eminent lawyers, upon this question. And I am still anxious that some measure of this kind

Rev. Dr. Hawkins. should be adopted, in order to remove the doubts entertained concerning it.

Whoever will carefully examine what the Commissioners have stated (Report, pp. 4, 5, 6.) and compare their statements with the documents printed in their Appendix D (pp. 42-54.) will find, not indeed a complete account of the whole subject, but enough to shew cause for serious doubt respecting the independent power of the University to alter the Laudian Statutes.

But the question has a moral as well as a legal aspect. For if there are reasonable doubts whether the Statutes Tit. X. Sect. II. §. 2. and §. 5. prohibit the alteration of the Laudian Code without the consent of the Crown, and we are solemnly sworn to the observance of these Statutes, others also as well as myself may feel precluded by their oath from voting for the alteration of any Laudian Statute until the consent of the Crown shall have been obtained, or until some competent authority shall have resolved the doubt.

At present I believe with the Commissioners, that there is great room for doubt. Without assenting to their first position to its full extent, "It can hardly be doubted that these (the Laudian) Statutes were intended by all the parties to their enactment to be unalterable, except with the concurrence of the Royal authority," (Report, p. 4.) (for I question whether all the Members of Convocation intended this in the first instance,) I cannot but concur in their concluding position, "It is evident then that the grounds on which the University has assumed the power of altering the Laudian Code are, to say the least, so doubtful, that some step ought to be taken to set the matter at rest." (Report, p. 6.)

To this conclusion I had arrived indeed in 1836, upon somewhat fuller evidence than the Commissioners, who do not appear to have seen the opinion ascribed to Justice Blackstone, nor the Cases submitted to the Attorney-General and Dr. Lushington in 1836. But they have printed the Case drawn up in 1758, with the opinion given by Counsel upon it, together with some account of the controversy upon the subject at that period; including some objections, and just objections, as it appears to me, to the Case itself.

I venture to subjoin a memorandum submitted to the Heb-

domadal Board in 1836, which may appear somewhat in the character of an independent witness, and may possibly assist those who would examine the subject carefully; omitting the opinions of Counsel both in 1759 and in 1836, which accompanied the paper, but which are now given by the Commissioners in their Appendix D (pp. 46, 47. 52-54.) but giving that ascribed to Dr. Blackstone, of which they had no copy. And I will only add in this place, that the present Regius Professor of Civil Law, though he does not speak positively, "inclines to the opinion that the University cannot *per se* alter or repeal Statutes which have been sanctioned and confirmed by Royal authority," although "she can alter or vary them in any way with the special permission of the Sovereign." (Evidence given to the Commissioners, p. 233.)

*Rev. Dr.
Hawkins.*

Constitution and Functions of the Hebdomadal Board.

2. In the last place, as the Senior Member upon your Committee of the Board of Heads of Houses and Proctors, personally acquainted with its proceedings for the last five and twenty years, and yet precluded since the year 1836, by the doubts expressed above, from attempting to initiate at the Board any legislation which went to alter a Laudian Statute, I may be permitted perhaps to add a few remarks upon the constitution of that Board and its legislative functions. Former Proctors indeed would have been the most unexceptionable witnesses upon this subject; but amongst the various Members of Convocation who have offered their opinions upon it to the Commissioners, I do not observe the name of any individual who has ever filled the office of Proctor. Mr. Hussey has spoken to the point in his Communication to your Committee, and he appears to think a more frequent recurrence to Delegacies a sufficient improvement upon the present system. And Mr. Gordon, also a former Proctor, recommends only a moderate change in the Board, and speaks with approbation of its working so far as respects the position of the Proctors at the Board. Those who have had similar experience would so far at least, I apprehend, concur with him^b. And if the operation of the Board has not been always satisfactory to other

^b I find the names of two other Proctors upon the Committee of the Tutors' Association.

Rev. Dr. Hawkins. Members of Convocation, for which some reasons shall be presently mentioned, there was much to be said in favour of establishing it, and it has effected much, especially of late years, towards the improvement of the University system.

The Board was designed to be a kind of standing Delegacy, not for passing Statutes, but, among other purposes, for initiating and preparing measures to be afterwards brought before the Convocation. It is nearly as numerous a body as can with convenience enter into the details of measures; and it consists almost entirely of persons who have the deepest stake and interest in the well being of the place, and who represent for the most part all the several Societies which practically constitute the University; only one member being appointed by the Crown, five by the Chancellor of the University, one by Queen's College, and the others, including the two Proctors, by their respective Colleges. It is also provided that two Members of the Board shall be changed annually; whilst of the rest nearly one on the average is changed in every year; the usual tenure of a Headship being from twelve to thirteen years; and there have been in fact twenty-four new appointments in the last twenty-five years.

Some approach to a representative system was thus established, whilst continual elections were avoided; the evils of which had no doubt been felt, and which are obviously undesirable in a place devoted to education and study; whilst the Members of the Board are for the most part persons who have either actually filled every academical office, or who are at the time, as the Proctors and some of the Heads of Halls, engaged in tuition or Professorial instruction, and not altogether unacquainted therefore with the existing state of things. And though the Board has technically the initiative, yet it continually receives the suggestions of other Members of Convocation, sometimes in the shape of memorials from several of the resident members together, often from individuals; which if not always approved nor always formally acknowledged and answered by the Board, are at least always considered and discussed. Nay, the suggestions of individuals, not members of the Board, have sometimes taken precedence of the motions of those who are so. And, generally, according to my experience, the Board has been rather too much than too little

disposed to accede to the views of other Members of Convocation, (considering that the responsibility of producing what it deems the best measures is thrown by the Statutes upon the Board,) and to regard rather what will be accepted, than what is in the opinion of the Board the better plan.

*Rev. Dr.
Hawkins.*

So likewise in the preparation of Statutes, such especially as affect the studies of the University, attempts have been often made, and sometimes with success, to invite the cooperation by oral or written communications of Tutors, Professors, and other Members of Convocation particularly interested in the subject. And in announcing proposed Statutes it has been often attempted, not always with success, to explain their objects. And, again, in order to meet the wishes, and collect the sentiments of the Convocation, measures which admitted of division have been often of late years proposed in separate portions, such as might bring distinct principles separately before the House.

These are facts which have been sometimes overlooked by those who have been lately speculating about the Constitution of the University. Nevertheless it is apparent, that there has been *some want of communication* between the Board and the rest of the Convocation. This is an evil; it is indeed *the* evil, which often impedes our legislation, and frustrates, or delays, or impairs, wholesome measures of improvement. But I speak of it merely as a fact; not imputing blame to either party. The Board has no mysteries. Its Members are under no obligations to secrecy, except in the case of confidential communications, or the votes of individuals, or other matters which honour and discretion will readily suggest. But the want of communication grows out of many little circumstances sufficiently obvious, from differences in hours, employments, society; from Members of the Board not always recollecting that other Members of Convocation are unacquainted with what has passed at the Board, and these again not inquiring into the reasons which have influenced the Board. But, whatever the cause, the existence of the fact is evident; and the rise of the "Tutors' Association" has been a marked indication of the evil, but not a remedy for it. Since this has only led to separate discussions of subjects, which should have been considered

Rev. Dr. Hawkins. by Members of the Board, and other Members of Convocation, in concert.

The infrequent appointment of occasional Delegacies is another circumstance much to be regretted, and one which has increased the previous evil; and this, I suppose, has grown in part, perhaps in great part, out of the circumstance that the appointment of such Delegacies is committed altogether to the Proctors, independently of the Board and of Convocation. A change in the mode of appointing Delegacies, and, perhaps, the creation of a standing Delegation for the consideration and amendment of the details of Statutes, might go far to remedy both these evils.

But without the University, if not within it, the amount of Legislation and of Academical improvement, which, notwithstanding all impediments and differences of views, has been actually effected within the last fifty years, has been sometimes overlooked. During the first 120 years after the acceptance of the Laudian Code, from 1636 to 1758, there existed, I believe, a general impression that the Code itself was not to be altered without the consent of the Crown; and although the right of adding to the Laudian Statutes was unquestioned, very few supplementary Statutes were in fact enacted. And during the next forty years, although the University had obtained in 1759 the opinion of Counsel in favour of its independent power to enact Statutes of all kinds, the power was not exercised above sixteen times from 1759 to 1800. But during the last fifty years new Statutes have been enacted, and former Statutes altered, and this in matters of importance, as frequently perhaps as the pursuits of the place, which ought not to be subject to continual alteration, would conveniently bear.

In 1800 the new system of Examinations was introduced; the University having commenced the work of Academical improvement in earnest long before Reform had become the watchword of a party. And the Addenda to the Statute-book from 1800 to the present time occupy some 320 pages, (pp. 115—437,) a larger space than the whole Laudian Code. About fifty-six Statutes (or rather, in several instances, collections of various Statutes passed on the same occasion) have

been approved by Convocation within this period ; and these touching upon most of the more important subjects which require the attention of an Academical Legislature. The first Examination Statute has undergone various successive alterations. New Examinations in Arts, and new subjects for examination, have also been introduced. New Exercises and Examinations have been appointed in Law and Medicine ; and Lectures in Theology established, sufficient or nearly so, for the systematic study of Divinity. An important change was also effected, as early as 1803, in the system of University Sermons ; and most of the Academical oaths were rescinded between 1827 and 1837 ; not to mention a variety of details respecting Degrees, and Fees, and other matters of minor importance, the alteration of which nevertheless requires some time and care.

*Rev. Dr.
Hawkins.*

Any one, in a word, who understands the University, and will be at the pains to look through the Addenda to the Statutes from p. 115 to p. 437, that is to say, from the year 1800 to 1853, together with the Statutes passed in 1837, '38, and '39 respecting Residence, Discipline, Public Lectures, &c., which occupy a separate place in the Volume, will perceive at least that the University under its present Constitution has succeeded in effecting a considerable amount of successive improvements.

But the present Constitution, no doubt, is not perfect. There exists much jealousy of the Heads of Houses, which the introduction of the Proctors into the Hebdomadal Board (who were not named in the original draught of it) has been insufficient to prevent. It is even said, by those who should know the fact, that some members of Convocation have permitted this feeling to influence their votes upon measures proposed to them. Few, I trust, are justly obnoxious to so grave a charge ; but it may have been forgotten that Heads of Houses, if they have differed in judgment from other members of Convocation, can have no other object than the welfare of the University ; and even a difference in judgment, where there is no jealousy or distrust, is itself to be regretted. In some few cases also, measures which have been eagerly desired by many members of Convocation, as, e. g., the establishment of new Halls for poorer students, have not yet obtained the

Rev. Dr. Hawkins. concurrence of the Board. In several instances, again, the Board has proposed improvements, which have not received the sanction of Convocation, as, e. g. the alteration of Subscription to the Articles in 1835, the attempt to revive some attendance upon Professorial Lectures in 1839, and to alter the mode of appointing Examiners in 1849. And in other cases the want of communication between the Board and the rest of the Convocation, already mentioned, has caused the failure, or delay, or mutilation of proposed measures. And although very frequent, not to say hasty, Legislation, would be an obvious evil in a place of study, it would seem desirable that there should be a more constant communication and greater harmony between the Board and Convocation.

Whether any specific change in the Constitution is required for this purpose, or what alteration should be recommended, the Committee will consider. I desired to mention some facts in the way of evidence rather than to offer opinions. But I will venture to say, that if any change should be recommended in the Hebdomadal Board, it should not be such as should destroy its *representative* character; as representing, that is to say, all the several Societies of which the University is actually composed. For it seems idle to speak of representing the several Faculties, or the Graduates of different ranks, after the practical changes that have occurred in graduation and the general state of the University. Nor do I perceive any good reason for a special representation of the Professors, or the Tutors, or any other Functionaries, with reference to Academic Legislation generally; although it would be obviously desirable that in any Committees entrusted with the preparation of particular Statutes the aid of those who are the most conversant with the subject under consideration should be always sought and obtained; and such persons might with the greatest advantage become actual Members of Committees. In any change also that may be thought desirable care should be taken to avoid frequent Elections in the Convocation, and not to constitute Assemblies which might easily degenerate into Debating Societies.

The proposal of the Commissioners for a new "Congregation" has met with little approbation, and appears open to grave objections on some of the grounds which I have men-

tioned. In this and other cases their very able Report appears to have been dictated at once by too great a love for change, and too much admiration for antiquity. A fondness for change indeed will often suggest nothing better than the revival of what has existed formerly, and has been superseded by later improvements. Hence apparently an exaggerated estimate of the value of Professorial teaching, and of the utility of membership with the University, freed from connexion with Colleges. Professorial teaching is excellent in its way, but to be generally useful it ought to be combined, even as an instrument of instruction, with Tutorial or Catechetical teaching. But for the actual training of the man, for discipline, for moral and religious training, we must have Colleges and College Tutors. “*Scholares singuli suos Tutores habeant*” is one of the most important clauses in the Statute Book; and any tampering with the provisions under this head, and the subjects connected with it, and with residence (Tit. III.), will endanger the whole moral and religious system of the University, and with it the well-being of the Church and the Country.

I am, my dear Mr. Vice-Chancellor,

Yours most faithfully,

EDWARD HAWKINS.

*On the doubt respecting the power of the University
to repeal any of the Statutes of 1636 without Li-
cence from the Crown.*

Rev. Dr.
Hawkins.

THE power of Convocation before the year 1636 to make and repeal Statutes, under the old Charters of the University and the 13th of Elizabeth, is not questioned. Nor is it doubted that the University under the Statutes of 1636 (Tit. X. Sect. II. §. 1, 2.) has authority, without licence from the Crown, to make any *additions* to those Statutes, and to alter or repeal such additions.

The only doubt is, whether the Convocation can, without the Royal licence, alter or repeal any parts of the *Laudian Code* itself; that is to say, such parts of the *Corpus Statutorum*, and of the Appendix, as were passed by Convocation June 22, 1636, and are enumerated in the confirmation of Abp. Laud, dated June 2, and confirmed by the letters patent of Charles I. of June 3, 1636. With this Code there are now printed several Statutes and Clauses in the *Corpus Statutorum* and Appendix in the edition of 1768, which were not parts of the *Laudian Code* itself: but it includes the three Statutes usually called “Caroline Statutes,” (viz. Tit. XIII. concerning the Hebdomadal Board, those concerning the Procuratorial Cycle, Append. p. 56. and the Statute concerning the Collectors, Tit. VI. Sect. II. §. 4.) about which, however, no particular question is at present raised.

The principal ground of the doubt concerning the independent power of the University to repeal the Statutes of 1636, is, that they were *not merely confirmed by the letters patent of Charles I.*, but that this confirmation was formally *accepted by the University*. For it is said, that although the Convocation in 1636 had no power of itself to bind future Convocations, and make its Statutes irrevocable, yet the corporate body of that time had authority to accept *a new Charter* from the Crown, notwithstanding that such new Charter abridged the

powers possessed by the University under former Charters, *Rev. Dr. Hawkins.* and under the 13th of Elizabeth confirming them ;^a that the formal acceptance by the University of the Royal confirmation of the Statutes in 1636 was in Law *the acceptance of a new Charter* ; that under this new Charter *all the Statutes* passed in 1636 became *Royal Statutes, or Statutes confirmed by Royal Authority* ; and that by the terms of the Statutes themselves, which all the Members of Convocation from that time to the present have sworn to observe, such Statutes cannot be altered or repealed without the Royal Licence.

The passages in the Statutes alluded to are in Tit. X. Sect. II. §. 2 : “ Si quando ex usu Academiæ futurum videbitur, aliquid de novo statuere vel decernere ; vel, si quando circa Decreta et Statuta jam condita vel in posterum condenda, dubitatio aliqua emergat, unde ulterior eorundem explanatio requiratur, (modo ne, sub explanandi obtentu, sensus statuto cuivis affigatur, omnem ipsius vim eludens aut enervans ; neve hæc explanandi potestas ad Statuta Regia auctoritate sancita vel confirmata extendatur, sine speciali ipsius Regis licentia ;) Statutum est, quod priusquam lex roganda, vel Statutum explanandum, suffragiis Magistrorum Regentium et non Regentium permittatur, primo ad hebdomadalem consessum Præfectorum Collegiorum et Aularum per Vice-Cancellarium referatur negotium.” Corp. Statut. p. 119, and §. 5. “ Quia ex nimia Dispensandi licentia grave incommodum Universitati antehac obortum est (nec aliter fieri potuit ;) Statuit et Decrevit Universitas, ne in posterum Dispensationes ullatenus proponantur in casibus sequentibus. Et primo Statuit et Declarat, ne super aliquo Statuto vel Decreto (Auctoritate Regia jubente vel monente) condito vel condendo, in toto vel in parte, Dis-

^a It has been replied, that King Charles in 1635 actually granted a new Charter which the University could not accept. Was it not rather that the University found they could not act upon new and extended powers so conveyed to them *against the Citizens and others who were not Members of the University*, and found it better to rest upon former Charters confirmed by *Act of Parliament* ? (See this Charter in the note to A. Wood's Annals, vol. II. pp. 399-402. Ed. Gutch. 1796.) If so, it will not follow from their not acting upon any Charter *extending* their privileges *against non-members*, that they could not accept a new Charter somewhat *abridging* their privileges as to *Internal Legislation*.

Rev. Dr. Hawkins. pensatio proponatur, nisi pari Auctoritate Regia ejusdem mutationis, vel aliqualis relaxatio, expresse mandata vel permissa fuerit." *ibid.* p. 122. (Ed. 1768.)

The fact of the University having accepted the Royal Confirmation of the Statutes may be ascertained from the Convocation-Register of 1636, and the letters from Convocation to the King and to Bp. Laud, of June 23rd, 1636. Some account of these proceedings is given in A. Wood's *Annals of the University*, vol. ii. pp. 403-406; Laud's *Remains*, p. 96, &c. &c. The Letters Patent of the King are prefixed to the 4th Ed. of the Statutes, 1768.

The usual answers to the doubt above mentioned are derived from the practice of the University, the opinion of Counsel in 1759, and the sense of several passages in the Statutes.

It is often supposed that the University has ever since 1636 been in the habit of altering or repealing portions of the Laudian Statutes; and in particular that such alterations were made, even in the lifetime of Laud himself, and of Dr. Baylie, President of St. John's, and others who took part in the transactions of 1636. But this is not the case. During more than 120 years no alteration appears to have been made in any Laudian Statute, nor was any clause in those Statutes repealed. The Statutes passed during this period were only *additions* to the Laudian Code, which the University had the undisputed power of making by its own authority. They were Statutes for the new Foundations of the Arabic Lecture, 1640, the Poetry Lecture, 1708, and Mr. Viner's Foundation, 1758; and Supplements to various Laudian Statutes, passed in the years 1662, 1669, 1670, 1738, and 1757. (Corp. Statut. pp. 61, 62. Appendix, pp. 46-55, 59-64.)

In all these cases it will be found that where new Exercises, &c. were prescribed, the requisitions under the previous Statutes were left untouched; and this in the Statute of 1662 (Appendix, p. 60), which added two Declamations to certain Exercises previously required; in that of 1669 (Corp. Statut. p. 60); in Abp. Laud's Arabic Lecture, 1640 (Appendix, p. 46); that is to say, in all those cases which have been particularly alleged as instances of *alterations* of Statutes sanctioned by Laud, or his friends.

The Statute of 1670 (Appendix, p. 63), headed, "Ad Statutorum Tit. VII. Sect. I. §. 9. De ulteriori Explicatione Statuti De Cœna Vespèriali," has been considered an exception, since it actually *alters* the received custom of the Senior Doctor in each Faculty giving a supper at his own expense to the rest, and *decrees* that the Inceptors shall bear the expense in common : but upon examination of Tit. VII. Sect. I. §. 9. (Corp. Statut. p. 56), it will be found to be drawn up in a very remarkable form ; it simply *states the custom* ("moris est," &c.), and makes *no enactment*, whereas in other paragraphs of this section, where the University orders so and so, the words are imperative, or the words "Statutum est" are expressly used, and this whether the custom was to be changed or retained, as in §. 3. (Corp. Statut. pp. 48, 49, &c. &c.) If the various paragraphs of this Section are compared together, it will scarcely be thought that the words "moris est," and "Statutum est" are used inadvertently : and the University, in 1670, may have felt itself at liberty to alter *a custom*, though precluded from altering a positive *enactment*. The Statute of 1669 makes no change in the Act Exercises, but only in the *place* where they were to be performed, the previous Statute *not* having named the place at all ; yet this has been mentioned as an alteration of a Statute. So has that of 1662, although it makes no change in any previous *Statute*, but only in the condition of certain members of the University.

The Examination Statute (Tit. IX. Sect. II.) is also said to have been altered, or rather "an omission supplied" in it, with Abp. Laud's concurrence A.D. 1638. But it appears to have remained until the year 1800, as it was passed in 1636. It was not brought into operation till 1638, but this the Delegates had provided for in the Statute as it was originally published in 1634.

Before any attempt was made to alter or explain any one of the Laudian Statutes, the University in 1759 took the opinion of Counsel upon their authority to do so. And the opinion being in favour of their having the right, they passed an Explanation of one of the Statutes in 1760 (Append. p. 59.) ; in 1769 another Statute was altered (Addenda, p. 98.) ; and others were altered or virtually repealed in 1781. (Addenda,

Rev. Dr.
Hawkins.

Rev. Dr. Hawkins. p. 106.) The practice in 1781, and afterwards, seems to have been to alter clauses, or omit them, without formally declaring that they were repealed. The first Repeal of a Laudian Statute so expressed (“abrogatio Statuti &c.”) occurs in 1819. (Addenda, p. 210.) For the last fifty or sixty years the doubt entertained in 1759 respecting the powers of Convocation appears to have been forgotten, and several other Laudian Statutes have been altered or repealed.

The opinion of Counsel (Messrs. Morton and Wilbraham) in 1759 is not supposed to be incorrect upon the data submitted to them. But it will be apparent, even *from the questions proposed to them and their answers*, that their attention had never been directed to what is now alleged as the main ground of doubt; the fact, namely, of the University having in 1636 *accepted the Royal Confirmation of the Statutes*, and having thus, as it is alleged, accepted *a new Charter*; nor to the fact of the members of Convocation having obliged themselves *by oath*, as their successors have also done to the present day, to the observance of these Statutes, which it is alleged restrain them from altering any Statute confirmed by Royal Authority, without License from the Crown. The best evidence that the attention of the Counsel was not directed to these points will of course be *the Case* actually submitted to them, which is in print, and of which there is a MS. copy in the archives.

Hence it appears, that the opinion of 1759 is not in reality at variance with the opinion given by Counsel in 1836 against the independent power of Convocation.

But it is said, that *many passages in the Statutes themselves* are inconsistent with the opinion of Counsel in 1836; and declare or imply the independent power of Convocation over all the Laudian Statutes, or all of them except the three “Caroline Statutes.”

Thus among the powers of Convocation are expressly enumerated those of making and even repealing Statutes. (Tit. X. Sect. II. §. I. Corp. Statut. p. 118, and again §. 4. p. 121.) This however may be explained by reference to that power of Convocation to make and to repeal any *new* Statute (not inconsistent with the old) which has never been questioned; the only point in doubt being whether any Statutes already passed

were *excepted* from this power of repeal. Again it would appear from passages in Tit. X. Sect. II. §. 2. §. 5., that the only exception in the minds of those who framed the Statutes were the “Caroline Statutes,” and others like them. Hence they speak not of Statutes *to be afterwards confirmed* by Royal Authority, but only of Statutes which *had been so confirmed* (“Statuta Regia Auctoritate sancita vel confirmata”); and none but the three “Caroline Statutes” had been confirmed by Royal Authority in 1634, when the Statutes were printed for the consideration of the University. And this is the more remarkable, since in other clauses the distinction is made between “Statuta jam condita,” and “*in posterum condenda*,” and when the University is precluded from dispensing with a Royal Statute without License from the Crown, the words “condito *vel condendo*” are actually introduced. (Corp. Statut. pp. 119, 123.) In point of fact, however, the whole Laudian Code *had been confirmed* by the Crown on the 3rd of June before the Statutes were *passed* by the Convocation on the 22nd of June 1636; and the sense of the words seems more properly to be referred to the time when the Statutes were *passed* than to the time when they were written.

But the truth seems to be that these and other passages which restrain the University from explaining, or dispensing with Royal Statutes without the Royal Licence, shew that the original framers of the Laudian Statutes *intended* only to restrict the powers of the University with respect to the “Caroline Statutes” and other Royal Statutes like these; that they intended to distinguish between these Royal Statutes and the code at large, and probably never anticipated the case of the code at large being by any subsequent proceedings brought into the condition of Royal Statutes.—[See this strongly put by Judge Blackstone in the note.]^c

^c *Opinion ascribed to Dr. Blackstone; extracted from a document said to be in his handwriting.*

“If it be contended that the Royal confirmation 3rd of June, 1636, made the *whole* body of Statutes from that time unalterable, let it be considered, that this confirmation was superadded at the request of the Chancellor only (see the letters patent) two years after the publication of the Statute of which the prohibitory clause is part; and therefore could never be referred to by the makers of that clause. And if suc-

Rev. Dr. Hawkins. But these points appear from the *second* opinion of Counsel in Dec. 1836 (which goes into subjects not adverted to in their *first* opinion, of April 1836) to have been considered by them ; and it is there maintained that, notwithstanding the supposed intention of those who framed or passed the Statutes, members of Convocation are bound by the *Legal construction* of the passages in question ; and that, under this construction, and

“cessors cannot be precluded from their right of legislation by any act or
“consent of their predecessors, nor by any other means, unless by the
“authority of Parliament (which every Lawyer will allow,) much less can
“they be precluded by the mere voluntary supervenient act of the crown,
“without the concurrence of the body.

“Again ; if the *whole body* of Statutes became unalterable by such confirmation of the crown, the provision for making new Statutes and explaining old ones (Tit. X. sect. ii. §. 2 & 3.) are totally nugatory and useless ; they are made void at the same time, and by the same Charter, which professes to confirm them ; and that Charter must be construed (contrary to all rules of interpretation) at once to establish the exception and to destroy the general rule. A pregnant argument that only those Statutes were intended to be sacred which had then (in 1634) been *regia auctoritate sancita vel confirmata* ; not those to which a future sanction might afterwards be given.

“That the University at that time considered the Statutes in this light, as revocable by future successions, will appear from the following extract of the letters of Convocation when they presented their Statutes to the king, 27 Sept. 1634 ; wherein they express a hope that in consequence of his royal patronage, their successors would be cautious in altering ; but by no means suggest that they would not be empowered to alter. ‘Hujus operæ, non huic tantum sed et futuris sæculis impensæ, non aliud apud posteros expectandum est præmium, quam ut ipsi vicem nobis rependant, et Corpus hoc statutorum assidue interpolando tandem in novum plane Corpus transforment. Has siquidem leges haud aliud manet fatum, quam quo olim usas novimus Lycurgi Rhetras Axonasque Solonis ; quas, nisi nomina ipsarum superessent, fuisse aliquando hodie quis sciret ? Ergo ut major hisce legibus apud posteros constet reverentia, utque clementius seu scalpro seu spongia deleteli in posterum petantur in sinum sacratissimæ majestatis tuæ confugiunt, atque intra Augustale tuum recipi, id est sacrari gestiunt. Pudebit scilicet posteros ab archetypo Morum et disciplinæ suæ penes te deposito longe recedere seu desciscere.’”

In this opinion it will be seen that the *intention of the University* in 1634 is urged against the force of their acts in 1636 ; and it is assumed that the Royal Confirmation was a mere supervenient act of the Crown “without the concurrence of the body,” whereas it is alleged that the University *accepted* that Confirmation.

the fact of the University having accepted the Letters Patent confirming the Statutes, Convocation is precluded from repealing without the Royal Licence not only the special "Caroline Statutes," but any other Statutes of 1636. *Rev. Dr. Hawkins.*

It is hoped that whatever may be the authority of this opinion, which is a question for Lawyers, the members of the Hebdomadal Board will find in those places in the Statutes, the Convocation Register, &c. to which References are here given, sufficient materials to enable them to form a judgment upon the following points; viz.

Whether the University in 1636 accepted the Royal Confirmation of the Laudian Statutes.

Whether it was the practice of the University to alter or repeal Laudian Statutes without the Royal License between 1636 and 1759.

Whether in the Case and the Queries submitted to Messrs. Morton and Wilbraham in 1759 their attention was drawn to all the points affecting the question; and especially to that acceptance on the part of the University of the Royal Confirmation of the Statutes which has been considered to be the acceptance of a new Charter.

Whether the doubt respecting the independent power of the University to repeal these Statutes was fully resolved by the opinion of Counsel in 1759, if their answers do not refer to what is at present alleged as the principal reason for the doubt.

And whether upon the whole there are grounds still existing for doubting the power of the University to repeal Laudian Statutes without License from the Crown.

E. H. 1836.

*From the Rev. R. L. Cotton, D.D. Provost of Worcester
College, Vice-Chancellor.*

*To the Committee of the Board of Heads of Houses
and Proctors engaged in considering the Report of
Her Majesty's Commissioners appointed to inquire
into the State, Discipline, Studies and Revenues of
the University and Colleges of Oxford.*

GENTLEMEN,

BEING anxious to place in your hands a full statement of my views respecting some measures of academical reform, in which I feel especial interest, I beg to submit to you this Paper.

*Rev. Dr.
Cotton.*

It appears to me that the first thing to be done in the work of University Reform is to bring the University into *singleness* of action. We have lately seen a Committee of the Heads of Houses and Proctors, and another body self-constituted, simultaneously holding deliberation on this important subject. We shall thus have various proposals and recommendations, dissimilar if not conflicting, brought forward at the same time, and appearing to emanate, as the public at least will imagine, from concurrent authorities. This is plainly wrong, and must tend to weaken our counsels and to disturb our peace. Instead

Process of
University
Reform.

Rev. Dr. Cotton. of cooperation, and mutual consultation, instead of hearing each other's motives, and reasonings, and objects, and deferring to each other's experience and knowledge, which we all need, and all should desire, from the proceedings alluded to there must be imminent danger of wrong feelings arising, feelings of uncharitable opposition and distrust.

Reform in the
Constitution
of the Uni-
versity.

But this desirable object, singleness of action, can be obtained only by effecting a change in *the Constitution of the University*. When a deliberative body in whose hands shall reside the origination of legislative measures commanding the confidence of the University shall be formed, then all proposals for Reform will be brought before this body. There will be no longer, it is to be hoped, any separate deliberations, such as we have seen carried on, of late, to the great detriment of the University; and our great desideratum, singleness of action, will be obtained.

What new form of Constitution then can be proposed which can be expected to command the confidence of the University? In proposing a reply to this most arduous question, it cannot but be advisable to consider the faults which have been attributed to our present Constitution, and the complaints which have for many years been preferred against it. These defects may be ranged under two heads: Those arising from the Constitution of the Board originating legislative measures, and those arising from the mode in which such measures are brought before Convocation. The first class comprises the want of a representative element in the originating Board, the too isolated position of its members, and the consequent absence of knowledge of all the bearings of mind among the general body of Convocation, and of sympathy with them. The second class comprehends the evils attendant upon a constitution embracing two bodies, one having the power of deliberation without that of execution, the other having the power of execution without that of deliberation, the great difficulty of effecting amendments in any proposed measure, the disjointed and garbled nature of Statutes passed piecemeal by Convocation, the bane of being driven to consent to a Statute with a consciousness of its imperfection, rather than lose it altogether.

Such are the leading features of the complaints which have

been made against our present Constitution. Such grounds of objection then a new Constitution commanding the confidence of the University must remove. *Rev. Dr.
Cotton.*

The substitution of a new Hebdomadal Board for that at present existing, which shall be partially, or even entirely elected by Convocation, would be far from affording an adequate remedy of the evils so long made subjects of complaint. It would indeed be representative of Convocation in such measure as it was elected by that body. But it would still leave untouched that charge so long preferred against our Constitution—that it comprehends a body possessing the power of deliberation without that of execution, and another having the latter without the former privilege. This proposal also tends to the introduction of an evil of an important nature. It tends to deprive Colleges of that representation which they at present enjoy in the Hebdomadal Board.

I propose then—

That the Board of Heads of Houses, and Proctors, should continue to exist, retaining all its present duties, powers, and privileges.

That another Board should be instituted, designated the Council of Convocation.

That this Board should consist of the same number of members as the present Hebdomadal Board.

That those members should be elected by Convocation in such manner as may be deemed most convenient, the election by Colleges, each College sending its representative, being recommended; in which case it is proposed that the five Halls should unite in electing one member, and that the four Colleges which have a greater number of Members of Convocation than the rest, should each send two members.

That, like the two Houses of Parliament, these Boards should both equally possess the privilege of originating legislative measures.

That, if the majority of the Board in which a measure is proposed sanction it, it should be placed in the hands of a Committee, consisting of an equal number of Members of each Board, who should prepare the form in which it should be proposed to Convocation.

Rev. Dr. Cotton. That the measure thus proposed should be submitted to the consideration of both Boards.

That if the majority of both Boards sanction it, it should be submitted to Convocation.

That if it receives the sanction of one Board and not of the other, the majority of the united Boards should determine whether it be submitted to Convocation.

That at such stage of the process of a measure, as may be deemed most convenient, public notice be given to Members of Convocation that such measure is in contemplation, and that during the space of one month after the publication of this Notice, any Member of Convocation may send to the Board originating this measure, a proposal for any amendments or additions to it.

In this scheme the University would be represented, the several Colleges and Halls would be represented, and Convocation would no longer have to reject a measure in order to obtain amendments in it, or to receive it without amendment in order to escape the only remaining alternative, as at present, of losing it altogether, abundant scope having been afforded for the consideration of amendments proposed by any Member of Convocation.

University
Extension.

I proceed now to the important subject of University Extension. Schemes have been proposed for accomplishing this desirable object subversive of true religion and morality in this place. Of such nature is the proposal of Her Majesty's Commissioners, that there should be members of the University who are not members of a College or Hall, and all cognate schemes. Such modes of extension are subversive of true religion, because members of the University having no place in any College or Hall could not be required to attend any place of worship, and consequently there would be apparent ground for the admission of persons of any creed, or no creed, and thus all modes of false doctrine and infidelity might be infused into the University, spreading their deleterious contagion among our members. They are subversive of morality, because young men, at an age requiring most watchful care, most warning, admonition, direction, would be left entirely, or all but entirely, to the impulse of their own passions, and

the direction of their own inexperienced and immature minds. *Rev. Dr. Cotton.*
The supervision of University officers can have no effect in respect of moral and religious training. And if any really efficient care is provided for them, it must imply such expense as would equalize their position in point of expenditure with that of members of Colleges or Halls. The history of our University in ancient times, and the present state of foreign Universities, speak such awful warning to us on this subject, that it appears surprising that any man who has thoughtfully studied these Reports should propose to reinstate among us that system against which experience bears such strong testimony.

Still University extension is a great desideratum. Can then any efficient plan for it be proposed which will not militate against religion and morality, and really impart academical education at a much diminished expense? Of such nature is the following proposal:—

I propose that the University grant a large sum in furtherance of this great object.

That portions of this sum be offered to any College which will, with the aid which it affords, provide a building containing furnished rooms for students, together with one public room.

That consequently no charge should be made upon the students for room-rent or furniture.

That there be public meals only and no private entertainments.

That a Master of Arts or one of higher degree reside in the building, as superintendent of the students occupying it.

That this superintendent be a Tutor of the College to which this building, which may be termed an affiliated Hall, belongs.

That he have a room in the College and take part in the tuition there in the same manner as the other Tutors.

That the students belonging to the affiliated Hall attend the lectures of any of the Tutors of the College in the same manner as other members of the College.

That these students have no peculiar designation, but be called Commoners.

Rev. Dr. That they have no peculiar dress.

Cotton. That upon taking their degrees they hold their place in the lists of B. A. or M. A. or those of other degrees without any distinction.

That as every member of the University is now admitted to matriculation upon condition of his observing the Statutes of the University, so every one admitted to the affiliated Hall shall be received on condition of his observance of certain sumptuary laws, a statement of which shall be delivered to him at his matriculation.

That any student detected in habitually transgressing these laws shall be removed from the affiliated Hall, but, if otherwise worthy, may be received into the College.

That these affiliated Halls be periodically licensed by the Vice-Chancellor, upon a satisfactory statement of the expenses of the students and general condition of the Hall being delivered to him.

The advantages of this plan of University Extension appear to me to be many and important.

It would really and not only nominally be a mode of cheap education at the University.

It would keep those thus educated under real pastoral care.

It would afford them the advantage of the whole range of tuition of the College to which they belong, and not confine them to the tuition of one or two Tutors only, as must be the case in an independent Hall.

There would be no needless stigma upon them even while they were residing as Undergraduates; and, after the residence required for the B. A. degree was completed, they would be on an equal footing with every other member of the College of the same standing. They would hold their place in the lists of Graduates of the College without any distinction.

This scheme of University extension is confined of course to men of very small income. But extension has also been desired for men in affluence. And it has been proposed to adopt for them the system of membership of the University without admission at any College or Hall, provided that they are placed under the care of some Master of Arts of this University. This proposal transgresses the Collegiate system,

permitting men to become members of the University without being members of a College or Hall, and consequently opens the way to all that irreligion and demoralization to which that fearful system exposes us. I would propose an amendment in this scheme, which would leave the intended object in its full accomplishment, relieved from the evil consequences to which the scheme, as proposed, is liable. I would propose that those, who desire to live in the house of a Master of Arts rather than in a college, should become members of a College and have permission to live under the roof of any person approved by the Head of the College and the Vice-Chancellor, as dispensations are now granted in various cases to Undergraduates to keep their Terms living out of College.

*Rev. Dr.
Cotton.*

It is quite plain that the Rubicon which bounds the Collegiate system being once passed, the way is open to demoralization and irreligion of which no man can see the end. Young men in the house of a learned, pious and careful M. A. may be well instructed and wisely guided. But who could prevent adventurers possessing little knowledge or principle from opening a house in Oxford for pupils and offering a bait of cheapness and laxity? And what an attraction this would be to idle and licentious young men to leave their Colleges and resort to such Tutors. Indeed it would be difficult to maintain any discipline in Colleges with such places of refuge open for young men who dislike the restraint of moral care.

To irreligion I fear that the admission of members of the University who are not members of a College or Hall would lead, for the following reason. Such members of the University would be under no academical obligation to attend the ordinances of our Church. This would afford ground for urging the admission into the University of such as have no place in the Church of England. Hence Dissenters of every denomination, Romanists, Sceptics, Infidels might be forced into our body, infusing their deadly poison, and fearfully impeding healthful instruction in orthodox truth.

The false statements, and insinuations, the perversions and negations of truth, of unsound and unbelieving men, continually sown in casual conversation, or otherwise, among young men of immature minds and unsettled views, may spring up in a

Rev. Dr. Cotton. rank crop bearing most deadly fruit. The intermixture of men dissenting from our Church and from the truth among us, if they become admissible to degrees, which must soon be the case if not so at first, would render it impossible to persevere in maintaining an examination in divine truth as a necessary element in an examination for a degree. Theology banished from our examinations would hold a precarious place in our lectures and a poor share in the studies of our Undergraduates. That which is requisite or brings honour in our public examinations will usurp the interests, the time, the attention, the exertions of the younger members of the University. The absence of close attention to Divine truth, of thoughtful study of it and its evidences, leaving the mind destitute of clear views of it and of the assurance of its certainty, expose it to the incursion of false and infidel opinions. Hence the irreligion to be feared.

Vast indeed is the importance of permitting Oxford to retain its present position as a place of education for the Church of England. When we contemplate the wide regions of the earth, penetrated by rays of light issuing from the Church of England, and consider the immense tracts of country which they may yet illuminate, we cannot but see the unspeakable importance of maintaining the truth unalloyed in Oxford, as a pure source of light, whence radiation through our Church and our Colonies, and our Missionary Stations, may enlighten in ever advancing extent the dark places of the earth. And is it not just and fair and reasonable that the Church of England should have some place of education confined to her own members? We do not claim admission into the Colleges of Dissenters, or into an University open to Sceptics and Infidels. Surely we ought to be permitted to prosecute the study of orthodox truth without interruption or interference, in our Church of England University.

Oaths.

The weight which religious principle has in checking infringement of laws, and in urging us to the faithful performance of our duty, has been pleaded for the continuance of academical oaths. But religious principle really alive in the heart will dispose us to act faithfully without an oath. And I cannot but think that oaths enforcing daily conduct, binding us to

abstain from countless things, and to observe others equally numberless, are a fearful snare. I would banish all oaths of such nature. Where there is *a definite object of an oath*, to which we can maintain single and complete adherence, we may safely bind ourselves by it. Such oaths are that of allegiance to our Sovereign, and that of abjuration of the supremacy of the Pope. These oaths I would have inviolably and for ever retained.

*Rev. Dr.
Cotton.*

The grand and supreme interests of morality and religion being upheld by the maintenance of the Collegiate and Tutorial system and unmixed adherence to the blessed Church of England, the most pure ark of divine truth in the world, would leave me in comparatively less anxiety on other much agitated subjects. But I venture to express my opinion briefly respecting a few other proposed measures of reform. My experience enables me to speak practically, rather than theoretically on these subjects.

Such experience induces me to protest strongly against the institution of a public examination of candidates for matriculation. Experience has brought before me so many instances of men, who would have been injured by such a measure, as make me earnestly desirous of never seeing it adopted. Such are men, who, from having had their minds engaged in some pursuit foreign to the studies of an University, or from some other cause, come to us unprepared for a public examination, but who, by their incipient attainments, their talents, their devoted purpose to prosecute their studies with diligence, afford satisfactory earnest of their future success in the University. In an examination before the authorities of a College, in addition to the amount of knowledge at present acquired, circumstances such as those, to which I have just alluded, may be considered. In a public examination before the University, no circumstances can be taken into consideration. The verdict awarded by the Examiners must be grounded on abstract judgment of the personal attainments of the candidate. Thus, men of very valuable character and delicate feelings, would be exposed to needless disgrace, and the University, and the ministry of the Church, to the loss of many estimable and important persons. For such reasons I would earnestly deprecate

*Examinations
previous to
Matricula-
tion.*

*Rev. Dr.
Cotton.*

a public examination previous to matriculation, even if it could be easily and conveniently accomplished. But we are already very seriously embarrassed by the multitude of our examinations. They at present occupy far too great a portion of the time of the Tutors of our Colleges, and very injuriously interrupt and impede our lectures and studies. And should Responsions be cast aside to make way for a Matriculation examination, (as has been suggested,) a very serious injury would be inflicted on the University. There would be great difficulty also in bringing an University examination on Matriculation, and a College examination on admission to any harmonious arrangement. In the public examination a low standard must be adopted if a vast body of men are not to be excluded and disgraced. Would all Colleges defer to such examination, and give up examination within their own walls? This could not be expected. There would be therefore two examinations for those desiring matriculation, one before the University, and another before the authorities of the College in which they seek admission. They may pass one and be rejected in the other. This would cause great confusion.

But even many advocates for an examination of candidates for matriculation state that they would be satisfied, if all Colleges and Halls would have an adequate examination previous to admission. I would suggest then, that the Tutor, who according to the Statute attends those about to be matriculated when they appear before the Vice-Chancellor, together with the paper stating their College, age, place of birth, rank of parents, &c.; should also bring a testimonial certifying that they had satisfied the College at which they had been admitted, after *examination*, that they are competent to become members of the University. This would oblige every College and Hall to examine all candidates for admission. An examination so conducted would admit of due consideration of peculiar circumstances attendant on special cases. It would not add to the perplexities and inconveniences with which the accumulation of examinations already harasses the University. The desired object would be attained, and attendant evils avoided.

Her Majesty's Commissioners propose, "that all distinctions between Noblemen, Gentlemen-Commoners, and Commoners,

Abolition of
distinction of
Noblemen,
Gentlemen-
Commoners,
and Com-
moners.

should be discontinued." Surely this is a matter which may be well left to the judgment of the authorities in the several Colleges and Halls. The rulers of every College or Hall who consider such distinctions prejudicial to their Society, have the power at present to prohibit them, and in several Societies this power has been exercised. Let those continue to exclude these distinctions from their College or Hall, who deem them injurious. But let those whose experience has taught them that important advantages are derived from them, be permitted to retain them. Various beneficial effects do result from them. In my own Society such results have been for many years experienced. Those who have passed the usual Undergraduate age find considerable relief in being distinguished in rank from the main body of the youth in their College. Such distinction in rank forms a line which enables the Fellows to admit them to their table and to their public rooms. This opens the way to society among Seniors, and to other privileges, which are a source of comfort to them. Where a body of men in such position pursue a wise, and steady, and studious course of life, they are very beneficial to a Society. They are Undergraduates. They have free and friendly intercourse with Undergraduates. Their example therefore comes nearer to Undergraduates than that of Tutors or others in authority. It is therefore more influential. Let then the present distinction in rank among Undergraduates continue to be recognised by the University. Let the distinguishing dress be retained, and let every Society admit or exclude such distinctions, as the discretion of its rulers may direct.

*Rev. Dr.
Cotton.*

Upon the great question of the comparative value of Professorial and Tutorial instruction, I will offer only a brief train of observations.

If it were necessary to make a single choice between the instruction of Professors and that of Tutors, I should feel no hesitation in giving the preference very decidedly to the latter. In addition to the distinction between the mode of instruction appropriate to Professors and that peculiar to Tutors, we have to bear in mind this most weighty consideration, that Professors' Teaching is simply imparting information, that Tutors' instruction is accompanied with moral care. And valuable in-

Professorial
and Tutorial
instruction.

Rev. Dr. Cotton. instruction must be given by Tutors to give weight to their moral influence. When young men are in the habit of receiving from Tutors such edification as they find valuable to them, such as bears testimony to the superior talents and attainments of their Tutors, and to their earnest interest in their improvement, there is good ground for their being disposed to pay deference to their admonitions. It is most important then that Tutors should continue to retain in their hands the main course of instruction of the junior members of the University. But Professors also hold a most important position. Their mode of instruction has its peculiar and most valuable advantages. Ample time therefore should be allowed to Undergraduates for resort to their Lectures. Tutors, in arranging the Lectures of their pupils at the commencement of a term, may divide the Lectures to be attended by them between their own and those of some Professors.

Thus Undergraduates may receive the benefit of both Tutorial and Professorial Lectures. And Tutors being in some measure relieved from Class-Lectures, may pay more private and individual attention to their pupils. This system duly carried out would tend in great measure to relieve the pressure of the Private Tutor System, which at present weighs so heavily upon the finances of Undergraduates.

The Proposal to set aside the Directions of Founders appears to me to be a subject of very deep and grave importance. It assumes this character both in its principle, and in its consequences. Its principle is non-adherence to the directions of Wills. Its consequences are indefinite. The principle which kept the property bequeathed in a certain position is withdrawn. The transfer of it henceforth is at the option of those who assume the power of the disposal of it. Non-adherence to the disposal of property by Wills may have wider results than its advocates would like to see. Many arguments have been adduced in favour of it. But the important question respecting it, because a question of moral principle, is, *whether it is not a breach of confidence.* The Testator makes certain directions in his Will respecting the disposal of his property, confiding in the Law which has hitherto ensured the fulfilment of such directions. Is not the Legislature then bound to prevent infringement of

Reform in
Colleges.
Changes op-
posed to
Founders'
Wills.

such directions till it has so altered the Law as to render them illegal? Here is a deep and grave matter of moral principle. The consequences of setting aside the directions of Founders are *indefinite*, because, the bond which kept the property bequeathed in a certain position having been broken, the future disposal of such property is at the option of the party which assumes the power over it. It may thence be transferred from one mode of disposal to another *ad infinitum*. The transfer may proceed from close to open Fellowships and Professorships, from these to National Schools, from these to Dissenting Ministers, from these to the relief of the taxes in support of the Army and Navy, or the payment of the interest of the National Debt, or any other object. Colleges may in such case complain that their property is in an unprincipled way disposed of in a manner opposed to the directions of their Founders' Wills. They are answered,—But you consented that these should be set aside; you admitted the principle, that Founders had retained the command over their property long enough. Thus the property was emancipated from the bondage of Founders' Wills, and is free for such disposal as may be deemed most advantageous to the state.

It must, however, be admitted, that changes ecclesiastical, civil, and literary, have occurred in the lapse of time since the Wills of most of our Founders were made, which they did not anticipate, and which, had they anticipated, they would have provided for by correlative modifications of the directions in the Wills. Such modifications then, as appear to be accordant with the mind of the Founder, it may be honest and safe to make. But who is to be the judge of this matter? Let the Colleges carefully consider the Wills of their Founders. Let them contemplate the improvements in their Statutes which might be made in perfect harmony with the mind and purpose of the Founder. Let them draw out a scheme of such improvements. Let these be placed in the hands of the Visitors of the several Colleges. Let such proposed improvements as receive the approval and sanction of the Visitors be laid before some legal tribunal, such as may be considered as most adapted to the decision of cases of such nature. If the proposed improvements receive the sanction of such legal tribunal, let them

*Rev. Dr.
Cotton.*

The President
of Corpus
Christi Col-
lege originat-
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gestion.

Rev. Dr. Cotton. be regarded as finally authorized and ordained. Thus all improvements might be made, which are really such as the Founders would have desired to see accomplished, in accommodation with the changes of times, moral principle would not have been wounded, and the property of Colleges would not be exposed to arbitrary transfer from one object to another *ad infinitum*.

Close Fellowships and Scholarships.

Respecting close Fellowships and Scholarships, Colleges may of course consider whether they exercise the utmost extent of liberty allowed them by their Founders. If this were duly considered, perhaps there might be found less ground for the outcry against restricted Foundations than has been supposed. My own College seems to be quite sufficiently open. Worcester College has three incorporated Foundations. That of Sir Thomas Cookes is open to all who are educated at any School in Worcestershire, wherever they may have been born. We are directed to seek Scholars at certain Schools first, but, if these cannot furnish well qualified young men, we may proceed to any School in the County of Worcester. That of Mrs. Eaton is open to the sons of all the clergy of England, who need the assistance which it affords. That of Dr. Clarke is open to all born of English parents in the Provinces of Canterbury and York, a preference being directed, *cæteris paribus*, to the orphans of clergymen. And our Elections are always carried out to the utmost extent of the sphere allowed to us. Nor is there ever the least appearance in our Electors of any motive except the principle of a just and carefully and laboriously elicited estimate of the greatest amount of qualifications in the candidate who is the object of their choice.

Dissociation in Colleges proposed by Commissioners.

There is one prominent feature in the proposals of her Majesty's Commissioners respecting the election of the various members of the Foundations of Colleges which appears to me very injurious. It is *Dissociation*. The Fellows are to be elected without any reference to the Scholars. And the Head is to be elected "from any persons who have taken the Degree of Master of Arts," so that he may never have been even a member of the College. Surely there is a want of knowledge of human nature here. All that bond of union and deference with the consequent peace and order arising from habituated

- brotherhood and respect is banished. The College becomes a collection of unamalgamated individuals, destitute of that sympathy and spirit of union and mutual regard which long connexion in the same society tends to induce and foster. I strongly therefore deprecate such proposals of her Majesty's Commissioners as conduce to so undesirable a result.
- Rev. Dr.
Cotton.*

Having taken part in the whole course of your deliberations and discussions respecting the momentous subject of reform in this University, I do not feel that it is requisite for me to enter here upon any other topics of improvement.

I am, Gentlemen,

Your faithful servant,

R. L. COTTON,

VICE-CHANCELLOR.

*Worcester College,
Sept. 30th, 1853.*

*From Dr. Daubeney, Fellow of Magdalen College,
Professor of Chemistry and Botany.*

*To the Committee appointed to consider the Recommendations
of the University Commission.*

GENTLEMEN,

IN compliance with the request of the Committee appointed by the Board of Heads of Houses and Proctors "to consider and report upon the Recommendations of Her Majesty's Commissioners, so far as they apply to the case of the University," I beg to offer the following suggestions, with the view of rendering the enactment in the Statute of April 23rd, 1850, relating to the attendance on Professorial Lectures to be required of all Candidates for the Degree of B. A.; better calculated than at present to effect its intended object.

*Dr. Dau-
beney.*

I may in the first place remind the Committee, that no consistent rule is laid down by the University, generally applicable to the length of the Courses which Undergraduates have the option of attending, preparatory to their final Examination.

In the case of those on Chemistry, Geology, Mineralogy, and Ancient History, it may be inferred, that it was the intention of the University, that they should not fall short of twelve, inasmuch as the Statute of Dec. 2nd, 1851, provides, that the Professors on these subjects should deliver Lectures twice a week for at least six weeks during each of the two terms in every year.

A greater latitude might seem intended to be allowed in the case of the Professors of Moral and of Experimental Philosophy; for although it is enjoined that the number of Courses delivered by them shall be three in each year, yet nothing is fixed with respect to the length of their respective Courses.

In other departments no determinate number of Lectures is

Dr. Daubeney. laid down as constituting a Course, excepting that by an old Statute it has been provided that no one shall fall short of eight.

Now it must be evident to the Committee, that the necessary tendency of this state of things, is to reduce the number of Lectures at which Undergraduates are required to be present during each of the prescribed Courses to eight, if not to less; for although Professors may still persevere in delivering more than eight, it will be difficult for them to exact attendance on a larger number, so long as the Undergraduates are aware that they can procure the requisite Certificates by an attendance on Courses which do not exceed it. In fact the present enactments appear so framed, as virtually to impose a penalty on the Professor, who is most anxious to fulfil his duty to the University, and act up to the requirements of the Age, by diminishing his class in direct proportion to the amount of instruction he provides.

Conceiving therefore that it is neither for the interests of learning, nor yet for the credit of the University, that we should be understood to regard so very small a number of Lectures as eight sufficient to impart even that elementary knowledge of any Branch of Science which the Statute in question was framed in order to assist in introducing; I would submit to the Committee, that it might be advisable to substitute for the existing regulation, which enjoins an attendance on the Lectures of two Professors, as a necessary preliminary to the second or final Examination, a Clause enacting, that each Candidate for a Degree must have attended as many as twelve Lectures from each of the two Professors whose Courses he selects.

Such a Clause would not deprive the Professor of any existing Privilege; for it would still be open to him, where not already compelled by any recent regulation, to limit himself, if he pleases, to the smaller number of Lectures which the Statutes have always enjoined; but it would be simply embodying the feeling entertained on this subject in the University generally, so far as can be collected from the fact of its having exacted from those Professors on whom they have recently conferred an increase of Salary, the delivering of so many Lectures in each Term, as would in general amount to, if it did not even ex-

ceed, the larger number which it is here proposed to require from the Undergraduates.

Dr. Daubeny.

Nor could there be any additional hardship in obliging the latter, if they preferred a Course which did not reach the prescribed number, to complete it, by attending a portion at least of a second Course delivered by the same Professor.

I would further beg to suggest, that in order to impart more of a public sanction to the Professorial Lectures, and at the same time to place before the Undergraduates in a more compendious and more easily accessible form the leading particulars which would guide them in the selection of the Courses of Lectures they intend to follow, it might be expedient to publish by Authority, at the commencement of each Term, and to circulate as widely as possible amongst the Colleges and Halls, a general Schedule of the Courses proposed to be given, of the subjects therein treated of, and of the days and hours of their delivery.

Such a Schedule has been already drawn out by the Deputy Reader of Geology, and has, I believe, been submitted to some of the Members of the Hebdomadal Board; and the strongest argument perhaps in its favour is the fact of its being founded upon the plan of those Programmes which have long been issued in every one of the foreign Universities, and which Cambridge herself has recently adopted.

I remain, Gentlemen,

your obedient servant,

CHARLES DAUBENY,

Professor of Chemistry and Botany.

*Oxford, March
24th, 1853.*

*From Thomas Hutchinson Tristram, Esq., B.C.L.,
Lincoln College.*

MR. VICE-CHANCELLOR AND GENTLEMEN,

I TAKE the liberty of bringing under your consideration *Thos. H.*
the Statutes which affect members of the University, who may *Tristram,*
be desirous to proceed to the Degree of Doctor in Civil Law *Esq.*
with the view of practising at the bar of Doctors' Commons.

And to enable me the more clearly to lay the case before you, I would beg leave to state briefly the regulations now in force on this subject.

In the first place I should observe, that by the Charter of the College of Doctors of Law at Doctors' Commons, no person can be called to that bar, until he has regularly taken his Degree of Doctor of Laws at the University of Oxford or Cambridge.—(See Burn's Ecclesiastical Law by Phillimore, vol. i. p. 5.)

By the Laudian Statutes, members of this University may be admitted to the Degree of B.C.L. in their twenty-eighth Term, and may obtain the Degree of D.C.L. in five years, to be computed from the time at which the B.C.L. Degree was conferred. But by a later Statute, those who take the Degree of D.C.L., in order to practise at Doctors' Commons, may obtain it in four instead of five years, upon their making a declaration before the Senior Proctor of their intention so to practise.

They are not however eligible to be called until the first day in Term (Nov. 2nd), following the *Act*, subsequent to their taking such Degree.

By the later Statute members of this University were placed on an equality with those of Cambridge, who had previously enjoyed some advantage; and at present it is requisite that members of either University should be of about eleven years'

Thos. H. Tristram, standing from matriculation, before they can be called to the Doctors' Commons bar.

Esq.

It is proposed however by the principal authorities of the University of Cambridge to make such alteration in their Statutes as to enable members of that University, who may be desirous of practising at Doctors' Commons, to obtain the Degree of Doctor of Laws in about nine instead of about eleven years from matriculation. This change was in the first instance suggested by a Syndicate appointed by the University for the Revision of their Statutes, and has been subsequently recommended for adoption, "as a reasonable and desirable one," by the Cambridge University Commissioners in their Report, p. 34.

Being myself desirous to obtain the Degree of D.C.L. to practise at Doctors' Commons, I have been induced to make inquiries at Cambridge on this subject; and I have been informed that the proposed alteration will be submitted very shortly to the Senate for its sanction; and that inasmuch as the general feeling at Cambridge is that the change is a most desirable one, there can be no reasonable doubt but that it will be adopted.

Under these circumstances, I venture respectfully to submit for your consideration, that this alteration, *from the time of* its adoption, will give to members of the University of Cambridge, intending to practise at Doctors' Commons, a very decided advantage over those of Oxford, unless some corresponding alteration be made in our Statutes.

And I may add, that as by our present Statutes the average age for being called is about twenty-nine, the gain of precedence and time at that period of life is of much greater consequence than it might be a few years earlier.

I would beg leave further to submit for your consideration, that some alteration in our Statutes on this point would be advantageous and expedient; and this for the following reasons:—

At the time when the Statutes now in force relating to the Degrees in Civil Law were framed, the average age for matriculation was considerably earlier than it is at present. It might, I submit, be calculated at fifteen or sixteen. Members of the University were thus enabled to obtain the Degree of

D.C.L., and be called to the Civil Law bar two or three years earlier in life than they are by the present practice. If the average age for matriculation may now be calculated at eighteen, the age for being called is postponed to twenty-nine.

*Thos. H.
Tristram,
Esq.*

After completing the course of studies prescribed by the University, Civilians have a period of seven years to prepare for the profession of the Civil Law. The usual time allowed at the other bars is from three to four years; and I would submit that seven years for a course of preparatory study at *that* period of life, and without the advantage of *actual* practice with reading combined, must frequently operate injuriously to the advancement of the Civilian.

I know that such is the opinion of many members of the other bars, and I may refer to that of a distinguished member of the University, Mr. H. Hassard Dodgson, M.A. of Ch. Ch. (and who is of high reputation as a lawyer in Westminster Hall), who has told me that this is the great objection to selecting the Civil Law bar as a profession. And my intercourse with the practitioners of Doctors' Commons entitles me to say, that any change in our Statutes, which would shorten the time for admission to their bar would be welcomed there, not only as advantageous to the public and to their profession, but as tending at the same time to sustain and cement their connexion with the Universities.

I beg leave therefore most respectfully to submit for your consideration, whether the privilege which the University has already granted to such of her members as intend to practise at Doctors' Commons, may not with advantage be further extended; whether it be not expedient that the period of four years between the admission to the Degree of B.C.L. and D.C.L. be further shortened. And I have the honour to be,

Mr. Vice-Chancellor and Gentlemen,

Your obedient humble Servant,

THOMAS HUTCHINSON TRISTRAM, B.C.L.

*Lincoln College,
April 2, 1853.*

From the Rev. Edward Arthur Litton, M. A. Vice-Principal of St. Edmund Hall, late Fellow of Oriel College.

RECOMMENDATION No. XII.—“That during the latter *Rev. E. A. Litton.* part of the Academical course all students should be left free to devote themselves to some special branch or branches of study.”

I take the liberty of offering some observations on the question opened in this Recommendation, particularly in reference to the University considered as a place of preparation for holy orders.

It cannot, I apprehend, be denied that the subject of clerical education is, throughout the country, drawing to itself a measure of attention, certainly not greater than its importance deserves, but great as compared with that which it formerly attracted. Men of all shades of opinion, laity as well as clergy, are beginning to recognise the fact, that the clerical office, not less than other professions, requires, on the part of those who would efficiently discharge it, certain qualifications which can only be acquired by preliminary studies specially directed to that end. Not less growing, I fear, is the conviction that our University system, as at present constituted, does not supply the desired preparation. I argue this, not merely from the opinions expressed on the subject publicly and privately, but from the significant fact that institutions professing to furnish what, it is alleged, the University will not or cannot do, are springing up everywhere around us. Several Diocesan Colleges, the professed object of which is to prepare candidates for Ordination, have been established, one at a few miles' distance from the University itself; others are in contemplation. And the ground on which the expediency of these institutions is made to rest is, that young men cannot at the University

Rev. E. A. Litton. obtain that professional training, spiritual and intellectual, which they need to fit them for the duties of their future life.

Whether this complaint be well-founded or not, it behoves the University seriously to consider what the issue of the new system is likely to be should it come to prevail extensively. It appears to me to be fraught with injurious consequences both to the University and the Church. In the first place, as regards our own prospects. Though the ostensible design of the Diocesan Colleges is to prepare candidates for Ordination after they have taken their degree, and so not to interfere with the University course, it can hardly be doubted that, in the lapse of time, a considerable portion of their members will be permitted to dispense with residence in this place. Indeed, already, I believe, in many, if not all, of them, provision is made for the reception of Literates, who after spending two or three years at the institution are to be placed on the same footing with those who have passed through the University. My opinion is that the number of these will be continually on the increase. The temptation will be strong to men whose education has been neglected to shrink from the threefold ordeal which the new Statute imposes, and to attain their main object, admission to Orders, in an easier, and perhaps less expensive way. The conductors of the Diocesan institutions, anxious for their success, will be more likely than not to encourage this tendency; nor is it unnatural that a zealous instructor should prefer conducting the training of his pupil from first to last to receiving him from another large seminary with habits and opinions more or less formed. In short I cannot but fear that these theological Colleges, if they are permitted to establish themselves, will seriously affect the number of students in this place, which, considered as a place of professional training, can never, I apprehend, in the present altered state of society, aspire to be much more than a University for the clerical body. As a place of general education it may minister to all the learned professions; for the clerical one alone it can immediately prepare.

Next, let the Diocesan system be viewed in its bearings on the Church and Nation. Is it desirable that the Clergy should be educated as this system proposes they should? We have been accustomed to consider it as one of the special advantages

of a University education, that those intended for the sacred profession are, in the course of it, brought into contact with men of various characters, pursuits, and destinations; undergo here a rehearsal of what they must expect in future life; the effect of which is supposed to be a largeness of mind and kindly tone of feeling not otherwise to be expected. There seems too to be a great advantage in associating, as far as possible, the great departments of human knowledge; cultivating them at the same place and at the same time; for thus they lend mutual aid to each other, the claims of each become recognised, and the one-sidedness of mind inseparable from devotion to a single pursuit is to some extent corrected. It is in this point indeed that a University, properly so called, differs from other places of education; and in proportion as it loses this character does it sink to the level of an inferior seminary. Now the Diocesan system, under its present form, appears to secure none of these advantages. Removed from social influences of a liberal kind, and from the rivalry of other intellectual pursuits represented by men eminent in each, the Students of these Colleges may be expected to exhibit a narrowness of feeling, a want of sympathy with the temper of the age, which is not likely, under present circumstances, to promote the success of their future ministry. The resources of the institutions certainly are unable at present, and are never likely to be able, to command the services of eminent men; and even if one such could be procured to preside over each College, it seems undesirable that the Theological training should take its colour from a single mind. A staff of competent Professors is important, not only from the division of labour which it permits, but from the mutual checks which it furnishes to the preponderating influence of individuals. These Colleges must, for a long time, be deficient in the apparatus of study, such as libraries, &c. And the whole system appears to be too much one of secrecy and isolation; removed from the salutary influences which publicity, responsibility, and exposure to public opinion, exercise on our older institutions. It cannot, I think, be thought desirable that the Bishop who is to ordain should have complete control over the previous training of the Candidates; such, at least, is not the custom in other Churches, and hitherto not in our own. Yet this manifestly is the tendency

*Rev. E.A.
Litton.*

Rev. E. A. Litton. of most of the Colleges in question. The plea that they afford an opportunity to young men whose course at the University has been marked by carelessness, or worse, to break off from their old connexions and commence a new career, does not, I think, carry much weight. The same temptations in kind to which the Student is exposed at the University he must encounter in actual life ; and if he learn not here to withstand them successfully he is not likely to do so afterwards. And if, as no doubt may frequently happen, an interval for study and reflection, between the taking of the B. A. degree and ordination, is from the student's previous habits desirable, it may be questioned whether it could not be spent elsewhere more profitably than in these institutions. Besides we must hope that such cases will be the exceptions ; and it is for the majority that we must legislate. On the whole, it is to be apprehended that a class of Clergy, better instructed perhaps in Theology, but less enlightened, less free from party spirit, and even less accomplished, than the present generation, will be sent forth from these institutions.

Under these circumstances, what does it behove the University to do ? For her own sake, and for the sake of the country, it is obviously her duty to examine whether such modifications cannot be introduced into the present system of study, as shall, as far as is possible, cut away the ground on which the necessity of the rival institutions is made to rest. With all the external machinery, in the shape of well-endowed Professorships, and ample libraries provided, it seems a great pity that the special training of the clergy should be taken out of her hands, and committed to untried, and certainly, ill-furnished, bodies. It would be a waste of power and resources, deeply to be deplored.

Yet it cannot be denied that our present system is open to animadversion. Considered as a preparation for the learned professions in general, it may justly claim commendation ; but what special training for the clerical profession does it furnish ? All that is compulsory on candidates for the ministry, is to acquire the very moderate amount of Theological knowledge necessary for the passing of their final examination, and to attend the twelve lectures of the Regius Professor. Thus young men may, and notoriously do, enter upon the most im-

portant of all professions, with the most scanty preparation ;— *Rev. E.A. Litton.*
ignorant of Church History, of the History of Doctrines, of
the original language of the Old Testament, and as regards the
practical part of their profession, utter novices. That things
turn out better than might have been expected, is surely no
reason why an attempt should not be made to introduce im-
provements. It may safely be asserted that no Church, but our
own, satisfies herself with so inadequate an introduction to the
ministerial office.

That attempts have been made, in recent years, to remedy
the defect proves that it has been felt ; but it would be too
much to say that these attempts have been effectual. Must it
not be acknowledged that our Professorial system in Theology
has hitherto not succeeded to the extent that could be wished ?
That considerable numbers have attended the Professors' Lec-
tures, and derived much benefit therefrom, may be true ; but
to the mass of candidates for Holy Orders, the invitation to
avail themselves of the advantages placed within their reach,
has been made in vain. The reason is obvious. Attendance on
the Professors' Lectures has not been made compulsory, and
the majority of students are not sufficiently energetic, or suffi-
ciently alive to the importance of the subject, voluntarily to
undergo the additional labour which such attendance involves.
Why then should it not be made compulsory ? I reply, that
neither do the circumstances of the country, nor the means of
most students, permit the additional delay and expense which
such a measure would, if not necessarily, yet I fear as matters
stand, in fact, entail. The church-extension movement has
immensely increased the demand for curates, and the Bishops
naturally hesitate to enforce a requirement which, for a time at
least, must diminish the number of candidates for ordination.
But above all, conscious as they are of the heavy burden which
even the present Academical course imposes on parents, they
shrink from rendering it still more onerous, and prefer receiving
candidates, however imperfectly prepared, to shutting the door
to the aspirations of a large body of deserving men. I do not
see how these difficulties are to be removed, and therefore I
cannot look forward with much hope to a proposal to engraft
on the present course, remaining in its integrity, a compulsory
attendance on the Professors' Lectures.

Rev. E. A. Litton. My belief is, that if the University would avert the dangers with which it is threatened, it must be by introducing alterations in the existing curriculum; alterations which shall enable the Bishops to require attendance on the Professors' lectures without thereby adding to the cost of a University education^a. There is only one way in which this can be effected, and that is by shortening the period of general study, and permitting the Theological student, as the Commissioners recommend, to devote himself during the latter part of his residence to the studies more immediately connected with his calling. Conscious as I am of the distaste with which this proposition, not now made for the first time, is commonly received, I am not without hopes that it may, under present circumstances, receive a favourable hearing. To be brief, then, what I would propose is, that Theological students should, after they have passed the second public examination, be at liberty, but should not be compelled, to devote themselves entirely to Theological study, and receive their degree of B. A. on passing an examination in Divinity, to be conducted in a distinct school, and by a different body of Examiners, from that of the present school of *Literæ Humaniores*.

My conviction of the importance of some such measure has been much strengthened by observing the effects of the New Statute on students who come to the University but imperfectly prepared as regards classical knowledge. The time and attention of such students is now so engrossed with the main object of passing the three examinations and the second school, that it is most difficult to interest them in those higher branches of Theological study, which formerly formed a standing part of College lectures. The study of the Greek Testament, of the evidences of Christianity, and of dogmatic Theology, is confined to the bare amount of knowledge necessary for the final examination: confined, I may say, necessarily; for the utmost that the class of men I speak of can hope, with great exertion, to accomplish, is to pass respectably the various or-

^a Since writing the above, I have been informed that under the provisions of the New Statute students *may*, if they will, comprise, within the usual period of residence, attendance on the Professors; but there are so few who pass their examinations at the earliest period possible, that practically, I fear, the case is as above stated.

deals which the New Statute proposes. I am aware that it was always difficult to interest the indolent, or the dull, in these studies; but at present even diligent and intelligent students, intended for Holy Orders, are compelled to postpone the prosecution of studies in which they take the most interest to the pressing exigencies of the Schools. Admirably adapted as the New Statute is to promote diligence in elementary studies, its effect has been, and I fear will be, to reduce the whole level of our Academical course, and to assimilate it, much more than even it formerly was, to that of a public school. I know not whether this effect was contemplated by its promoters; but assuredly, unless a matriculation examination is established, and candidates, who are not competently instructed in the Greek and Latin languages and in Mathematics, are sternly rejected, our College lectures will partake more and more of a rudimentary character, to the sacrifice of higher studies. It is in vain that the Tutor strives to counteract this tendency; in vain that he announces lectures in the various departments of Theology;—he cannot make head against the pressure of necessity, nor can he insist upon attention to pursuits not immediately connected with the Schools, when the consequence may be the disgrace of rejection. I apprehend that the effect of the present system will be to turn out men, better scholars and better mathematicians, but still more imperfectly prepared for the ministerial office, than was the case under the old. An effect which, I need not observe, furnishes with additional arguments the advocates of diocesan Colleges.

*Rev. E. A.
Litton.*

Is there any fatal objection to the proposal above mentioned? I cannot discover any. Already a partial separation of studies, during the latter part of the student's course, has been recognised and encouraged under the New Statute; it is but a step further in the same direction. Poets, orators, and composition are excluded from the final examination; a tacit admission that sufficient time has been devoted to general scholarship, and that during the last year, or year and a half, studies of a higher order should occupy the attention of the student. But what necessity is there for imposing on all the study of the philosophical works of Aristotle or Cicero? The mind may be equally well disciplined by the study of the sacred

Rev. E. A. Litton. languages, and the works of our great divines. Or how can it be maintained that it is more important for the theological student to gain an acquaintance with the ancient philosophy than to become competently versed in his own department of knowledge? If both could be combined, it would be well; but experience seems to shew that this is hardly to be expected. A certain amount of scholarship must be considered necessary to a divine, and therefore there is every reason why the theological student should be required to pass the two first examinations, which are concerned with pure scholarship; the same necessity does not seem to apply to the third. Let those to whom time and money are not objects pursue, if they will, the final course of study marked out for them in the Statute; but let the theological student have the *option* of devoting himself instead to his own peculiar pursuits. I believe that a proposal has been made to substitute a divinity school for one of the supplementary ones now required by the Statute; and no doubt this would, as far as it goes, be a relief to the theological student. But why not entirely emancipate him, during his third year, from secular studies? Emancipate him, I mean, from the necessity of passing the school of *Literæ Humaniores*, and permit him, instead thereof, to pass the proposed Divinity school, and such one of the remaining schools as he may be inclined to select? For, as far as my experience goes, it does not seem that preparation for one of the supplementary schools would seriously interfere with theological study; certainly not nearly as much as preparation for that of *Literæ Humaniores*.

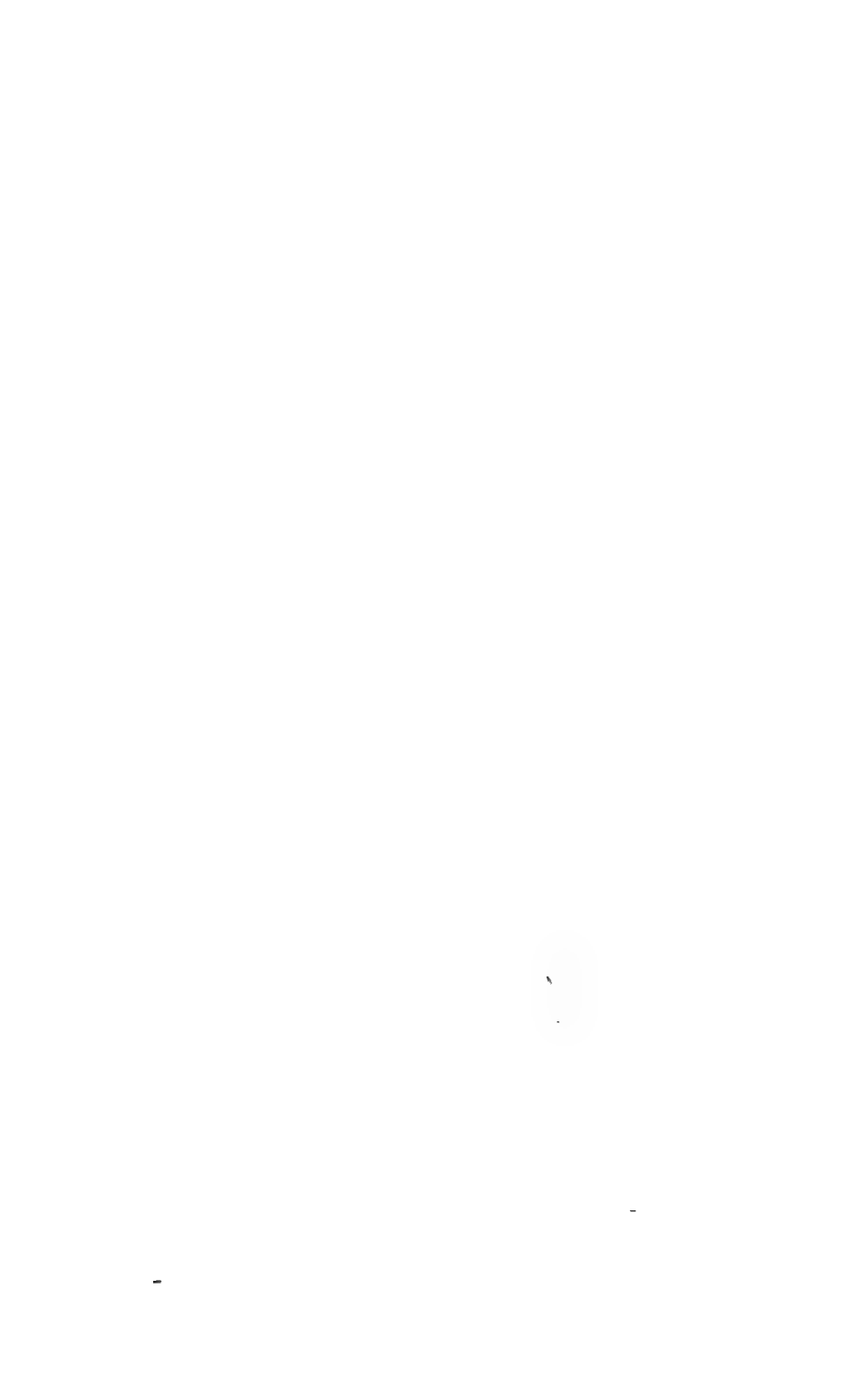
I am not aware that any practical obstacles lie in the way of this scheme. It would not interfere with the College system, for I presume that an hour in the day would be sufficient for attendance on the Professors, and the remaining hours of study might be devoted to College Lectures in Divinity. The greater part of the work would still be done within the College walls, and the principal duty of the Professors would be to test, and improve, the knowledge thus acquired.

Should this alteration be carried into effect, the University will, I apprehend, have done all that lies in her power to obviate the necessity of supplementary institutions, the tendency of which certainly must be looked upon with suspicion. At

the same time, a stimulus will be imparted to the Professorial system, for to its efficiency two things are necessary, first, that the Professors should be men eminent in their respective departments; and secondly, that there should be a body of intelligent students at leisure to profit by their Lectures. If the latter requisite be wanting, the system will languish not less than if we have inefficient men. And perhaps, under such a stimulus, our Professors might be induced, more frequently than they do, to instruct the University by Courses of Public Lectures, instead of confining themselves chiefly to the occupation of Divinity Tutors. A division of labour, catechetical instruction within the walls of the College, and a more public mode of instruction on the part of the Professors, combined with the present catechetical one, might be expected to operate advantageously both on the Professors and the University.

Perhaps too, such a modification of our system as that proposed might open the way to what above all things we want, the formation of a body of assistant Theological Professors, or Lecturers, from which, in the regular course of things, the Professors might be chosen. It is impossible to expect an efficient staff of Professors, where no opening or encouragement is held out to men to devote themselves to Theological study; and the most effective encouragement consists in opening up a recognised sphere of labour, in which men of ability may exercise their powers. In such cases the emolument is of secondary consideration; employment in a favourite pursuit, and the prospect of a Professor's chair would, in most cases, be sufficient to retain amongst us those who might be expected to adorn their chairs, but who at present are too often lost to literature and to the University. The system would, of course, require regulations and restrictions; but, the principle once admitted, there would be no difficulty in framing these. I content myself with throwing out the foregoing general suggestions, leaving it to those who have had more experience in University life to supply, if the proposal be taken into consideration, the practical details.

E. A. LITTON.



*From Edward A. Freeman, Esq., M.A., late Fellow and
Rhetorical Lecturer of Trinity College.*

RECOMMENDATION XXXI.

THE great object of this, and of several of the following recommendations, is neither more nor less than to reconstruct all the Colleges, with two exceptions, upon a new and uniform pattern. Now I have always thought that one of the very best features of Oxford was the very diversity in the statutable and traditional constitution and practices of the several Colleges, which the Commissioners would destroy. Agreeing in their most important particulars, they present an infinite variety in their smaller details. Some Fellowships have a limitation as to birth, others are open; some are confined to Masters, some to Graduates, some are open to Undergraduates; some involve, some do not, the obligation of taking orders; in some Colleges there are Scholars with more or less of prospective claim to Fellowships, in others the Head and Fellows form the whole body, and the Fellows are consequently habitually elected from other Colleges. Now these diversities in constitution give a life and a reality to the whole system, they allow of a generous competition between different systems, and afford opportunities for persons differently circumstanced to suit themselves according to their circumstances, which would no longer exist if all were to be remodelled according to the dull and lifeless uniformity recommended by the Commissioners. For instance, the system of electing from the Scholars of the College, and that of electing from members of other Colleges, have both their manifest advantages, probably their countervailing defects also; now the two have each fair play; by the proposal of the Commissioners one alone is to be tolerated. Fellowships, as a general rule, are open to Bachelors, and, as a general rule, fall to the lot of Bachelors; a few are confined

*E. A.
Freeman,
Esq.*

E. A. Freeman, Esq. to Masters, Clergymen, or other senior persons; a few are open to Undergraduates; these last systems are both exceptional, and may very fairly meet certain exceptional cases; the Commissioners would abolish the chance of thus appropriately meeting cases of the kind. The difference in character in different Colleges has this great advantage, that, while one need not be nearer than another to an ideal standard, each system has its attractions for particular classes of minds, and each man may seek for admission or promotion in that College which he considers best suited to his own circumstances. Should the scheme of the Commissioners ever be adopted, it will be hard to see on what ground one College can have an advantage over another, except that of their comparative wealth.

This reasoning seems to me conclusive against stereotyping any one system, and thus fettering freedom of action and choice both in the Society and in the individual who seeks admission to it. But surely besides this, we may recur to the sound old doctrine, "Let well alone." Wherever there are abuses, rectify them; where the statutes or customs of a College work badly, reform them; but do not meddle with a system, whatever its nature, which cannot be shown to work badly, merely because it does not conform to some preconceived theory. If a mode of election has clearly so worked, by some vice in itself, as to lead to the habitual promotion of incompetent persons, let that mode be exchanged for a better; but do not meddle with a system which has not that bad effect, only because it has peculiarities of its own. According to my view, the fact of there being peculiarities is, as far as it goes, a reason for their retention.

I am therefore very decidedly for retaining the existing system in every College, where it cannot be distinctly shown to be bad, and I hold that the *onus probandi* lies with the objector.

I now come to the particular recommendation before us. This is that "all Fellowships should be thrown open to all Members of the University, wherever born, provided they have taken the degree of Bachelor of Arts, and can produce a proper certificate of character." New College and St. John's are excepted.

This proposal,

1st, Removes all limitations as to place of birth ;

2nd, It destroys the preference given in many cases to Scholars of the College ;

3rd, It removes the limitations or preferences which occasionally exist, to Clergymen, to Laymen, to Masters of Arts, to Bachelors above or below a certain standing.

But on the other hand, it imposes a restriction in a few cases, for,

1st, It excludes Undergraduates, who are now frequently elected at Exeter, occasionally at Balliol, possibly elsewhere.

2nd, It seems to forbid the case, which now and then occurs, of a Member of another University being elected.

To all these changes I most strongly object. To the first proposal, that of indiscriminately removing all local restrictions, I should apply the general argument ; reform abuses where you find them, but do not reconstruct upon any abstract theory. Where a particular county is overstocked, or where, from all the Fellows belonging to one neighbourhood, a local clique has been formed, or is in reasonable danger of being formed, let the foundation be thrown so far open as to remedy this evil ; but let not foundations be meddled with against which no such accusations can be brought, simply because their statutes or customs do not coincide with some cut and dried theory. Exeter contrives to attract men of ability, though its Fellowships are not wholly open : Oriel has both close and open Fellowships, and it is very remarkable that it is not generally known out of the College which Fellows are on the close and which on the open Foundation. And even in other cases, I cannot help thinking that close Fellowships and Scholarships have very often proved a maintenance for deserving and useful men, who might not have ventured to stand, or even would have had little chance of succeeding if they had ; in a competition open to all the world. It by no means follows that the bounty of the founder is ill bestowed, because the recipient would have been very unlikely to win his way to an open Fellowship at Balliol or Oriel. And, taking one College with another, it by no means appears that open foundations have invariably been purer in their appointments than close ones. The very close foundation of Corpus was, if

*E. A.
Freeman,
Esq.*

E. A. Freeman, Esq. I mistake not, the first to begin the career of reform which has not yet extended itself to the open ones of Christ Church or All Souls. Individual appointments in the former have often been as excellent as any amount of open competition could have made them, but on the other hand many have been as conspicuously the reverse; and the danger of such appointments is not likely to be got rid of while the studentships remain pieces of individual patronage. At All Souls again, I believe there is no accusation against the fairness of the appointments within the class to which they are practically confined; but it is a monstrous evil that forty nearly open Fellowships should be lost to the general service of all classes.

The recommendation, to make the change of any value at all, must go on the supposition that, if all Fellowships were indiscriminately thrown open, nobody would ever obtain a Fellowship but men of first rate abilities, and that all such men invariably would. We should be delivered from the idle and unlearned members of close foundations, and vast numbers of deserving persons now excluded would find immediate promotion. I doubt both; it surely is an exceptional case when a man of any merit fails if he wishes it of obtaining a Fellowship sooner or later, and with regard to the former I strongly suspect that the only change would be one in their geographical position. The Commissioners propose no very important reduction in the aggregate number of Fellowships; they would suppress or suspend a certain number, but they would still leave several hundreds. Now that all these would ever be filled with men of the calibre of the open Fellows of Balliol or Oriel is an idea altogether chimerical and preposterous. I suspect the change would simply be that a few Colleges, like Magdalen, which offer special attractions in the way of endowment and the like, would first swallow up all the really able men as Fellows, then parents would send their sons to those Colleges where such able men were Tutors; and the only result would be to have changed certain bad Colleges into good at the expense of turning certain good ones into bad. For the poorer Colleges would manifestly have to receive as Candidates those who were rejected at, or who dreaded the examination for the richer, and they would therefore be obliged to lower their standard quite to the level of the existing close

Fellowships. We might present something like the spectacle which Cambridge exhibits in what are called "small Colleges." I cannot but fear that mercenary motives would come in much more than at present; now a man really thinks very little about the comparative value of Fellowships; on the proposed plan there would be no other ground of preference between College and College. Again the poorer Colleges would lose the chance which now exists of a really first rate man belonging to the favoured district offering himself on a close foundation.

*E. A.
Freeman,
Esq.*

The second effect of the recommendation would be to destroy the preference enjoyed in certain Colleges by Scholars of that College. As having personally experienced the advantage of this system of election, I may be prejudiced in its favour; but I have no wish whatever to obtrude it on any other Society; I only ask that we of Trinity may not be deprived of our ancient and laudable customs just because they do not happen to approve themselves to the preconceived fancies of certain persons who are evidently entirely ignorant of the state of the College. The Commissioners, whose only evidence from Trinity College is my own, which did not enter on the point, venture (p. 237) in a somewhat off-hand and reckless way, to recommend that "the connexion of the Scholarships with the Fellowships should cease." In p. 162 they enumerate Trinity among other Colleges where this arrangement has "a natural tendency to damp the industry and energy" of the Scholars. Yet in p. 236 they admit the high reputation of our Scholars, and quote with approbation a portion of my own evidence in which I complain not that all the Scholars succeed without labour or competition to Fellowships, but that many of them are hindered from so succeeding. Our Scholars have no such certain provision as the Commissioners suppose; the Scholar simply knows that he is an integral portion of the foundation as much as the Fellow, and that he has a fair chance of promotion to a higher rank in it. This fair chance is in many cases nothing more than such a fair chance; I myself most certainly had no such deadening provision as the Commissioners dream of, as I obtained my own Fellowship after a very far from formal competition with another scholar senior to myself. In other cases I grant that the fair chance does amount to a

E. A. Freeman, Esq. moral certainty, but I think our experience belies the accusation that even in these cases the industry and energy of the Scholars has been damped as the Commissioners imagine.

I wish to see both modes of election retained, as I believe both have their respective advantages, each in those Colleges in which they now severally exist. Electing off the foundation gives a greater scope for choice and will probably produce a higher average standard. On the other hand, where the Fellow has been a Scholar and the Scholar hopes to be a Fellow, the Collegiate idea, of which the Commissioners seem to have no conception whatever, is more thoroughly carried out. I cannot help thinking that the harmony of such a system is well purchased by the necessity of now and then electing a Fellow who would not have been elected on an open competition. The one confers greater *éclat* on the Fellowships as mere prizes, the other produces a more healthy relation between the senior and junior members of the Society. The only evil is when the two are intermingled; when, in a College whose Fellowships are usually supplied by the Scholars, it becomes occasionally necessary to throw open a particular Fellowship. I suspect that in such cases men of the stamp who obtain those which are always open do not appear as candidates; certainly the Fellows so elected are less likely to harmonize with the tone of the society than those who have always been members of it. Coming in thus occasionally their position is altogether different from that of Fellows elected from another College into one where the existing Fellows have themselves been gathered together from other Colleges.

The real evil at Trinity is not the connexion between the Fellowships and Scholarships, which I trust we may always preserve, but, as I have argued in my evidence to the Commissioners, the prohibition of more than two Fellows from one county at the same time, which often has the effect of cutting off distinguished scholars from the promotion which they might reasonably expect in their own college.

The other changes proposed by the Commissioners consist simply in destroying the exceptional liberties or restrictions existing in two or three Colleges, in order to bring all to the same deathlike monotony of which they appear to be so enamoured. It may occasionally happen that a very deserving

person may, from various exceptional causes, appear as a candidate for a Fellowship rather later than usual; such an exceptional case the exceptional Fellowships confined to Masters are just calculated to suit. This the Commissioners would destroy. They add (p. 162) that there is in the present state of things "no reason why undergraduates should be eligible to Fellowships." As nobody proposes to make them eligible to Fellowships generally, it is rather the business of the Commissioners to show that some evil has arisen from their election at Exeter and Balliol, but they attempt nothing of the kind. The only approach to it is in their marginal analysis when they represent a witness speaking in favour of the system as speaking against it.

*E. A.
Freeman,
Esq.*

It has now and then happened that a Cambridge man has been elected to a Fellowship in Oxford. This is however so very rare and exceptional a case, so unlikely to take place except under some peculiar circumstances, that I can see no good reason for abridging the liberty of the electors in this respect where it exists. And I think that in such a case the candidate should be allowed to stand without previously incorporating, which by the terms of the Recommendation he would be obliged to do.

The exceptions made by the Commissioners are even more unreasonable than the rest of their recommendation. While the distinguishing features, often the distinguishing excellencies, of other Colleges, are to be sacrificed to the mania for close Fellowships and nothing but close Fellowships, the close Fellowships of two particular Societies are to be retained under certain modifications. Those two are New College and St. John's^a. Now the latter does certainly obtain a very respectable share of the honours of the University; so that, on my view, unless the mode of election can be shown to work ill in some other way, there is no occasion for altering it at all. But it certainly does seem strange that the Commissioners

^a Part of the evidence relating to St. John's College certainly affords a singular specimen of the Commissioners' method of analysis. Dr. Hessey (p. 351) says, "I think the admission of Undergraduates to Fellowships productive necessarily of no inconvenience, especially now that University examinations are multiplied." This is analyzed in the margin, "Evil of admission of Undergraduates to Fellowships."

E. A. Freeman, Esq. should have selected it to receive a degree of mercy which is not extended to Colleges of higher reputation. New College, on the other hand, for which nothing can be said, whose foundation members gain no distinctions, and which educates only one or two members off the foundation, and which, except for its magnificent chapel service, might really be suppressed without the University feeling any palpable loss, is to have its connexion with Winchester school only modified. If there is any case where close Fellowships have worked as an unmitigated evil, and where every thing cries for the entire removal of the restriction, this is the one; yet it is in this case that the Commissioners are for once seized with a fit of reverence for old associations, and of regard for the intentions of Founders. In other cases they throw the Fellowships open to the world, even though the restrictions can be shown to have worked no evil, simply to satisfy a theory; here they would only extend them to the whole of Winchester school, and to the whole of the Founder's kindred, whether educated at Winchester or not.

The Commissioners ought also to have considered, whether on their Utopian scheme of all other Colleges being filled with men of high abilities elected by open competition, they would not be putting these two, remaining alone restricted, in a most singularly awkward and invidious position. A wide distinction would be drawn between a Fellow of those Colleges and a Fellow elsewhere, at all events if their hopes of Fellows elsewhere should ever be realized. On what I conceive to be the sound English way of merely reforming known abuses, there is no objection to opening some Colleges and not opening others. On the doctrinaire scheme of the Commissioners it is an unaccountable inconsistency to leave any restricted in any degree, and the choice of at least one of those so left is more unaccountable and inconsistent still.

In conclusion on this head, I would make a few observations on particular cases. At Magdalen, considering the great advantages presented by the College in other respects, it would be a great public evil to the University if all restrictions were removed. There would be a real danger of its becoming something like Trinity or St. John's at Cambridge. Yet the existing restrictions are evidently too narrow. The just mean

would be to elect the Demies by competition from all those counties from which Demies or Fellows may now be taken, to superannuate the Demies at twenty-five according to the Statutes, and to throw all the Fellowships open to all the Demies. Similarly at Corpus, the election of Scholars should be opened to all the counties from which any Scholar may be taken, and the scholars superannuated. At Queen's and Lincoln the restrictions are not coeval with the foundation, and they have plainly worked ill. At Lincoln they were actually introduced for a special reason which has long ceased to apply. They may therefore fairly be swept entirely away. New College needs entire reconstruction. For Christ Church it would be impossible to legislate till the strange mixture of Cathedral and College has given way to two distinct and intelligible foundations. But why Balliol, Trinity, University, Oriel, Exeter, should be touched, simply because the Commissioners happened to be possessed with one single idea of what a College ought to be, it is indeed hard to understand.

*E. A.
Freeman,
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RECOMMENDATION XXXII.

This recommendation divides itself into three parts,

1st, the removal of all obligations to take Holy Orders.

2nd, the removal of all obligations to take the higher degrees.

3rd, the permission of marriage to Fellows in certain cases.

With regard to the first, I am very strongly convinced of two points, first, that the clerical element is far too predominant in the University, but, secondly, that it would be highly undesirable entirely to destroy the ecclesiastical character of College appointments.

I am fully persuaded that if the clerical element in Oxford were not very strong, the general character of the University would be greatly deteriorated. I cannot help thinking that it is this, which, under many temptations, keeps up the general high tone and respectability of the place. But this clerical predominance is clearly carried too far, so as to amount to a practical exclusion of laymen. In the best Colleges it is only here and there that a layman can find a permanent abiding-place. Yet, if the University is not to be degraded into a mere theological seminary, if it is really to grapple with the

E. A. Freeman, Esq. advancing intellect of the age, and adapt itself to the requirements of the great dominant middle class, we must have a strong lay element as well. At present a permanent Lay Fellow residing and taking an active share in College work is unfortunately a species which may be counted by units. Yet there may be many men desirous of and fitted for College work who have no call whatever for the ecclesiastical vocation. And I may here mention another point. I argued strongly in my Evidence to the Commissioners, in favour of making Fellowships in general terminable instead of permanent. I have since perceived that the Cambridge Commissioners, [whose Report and whose Evidence is generally so very much fairer and more sensible than our own, would allow laymen to hold any Fellowship for a term, clergymen being permanent. If I made any difference I would just reverse this. A clergyman can always turn to the exercise of his calling elsewhere, and will almost always have had the option of a College living before the time of his superannuation arrives. A lay Fellow, who has really acted as a Fellow, and not merely converted his Fellowship into a maintenance at the Bar or in the Army, would find himself, when superannuated, turned wholly adrift.

It may be said that the removal of the obligation would not have any great practical effect, that the mass of Fellows would take orders of their own accord, and the examples of Wadham and the Michel Foundation at Queen's may be cited as instances where, though there is no requirement to take orders, the Fellows are mostly, sometimes entirely, clergymen. But it should be remembered that there is now a general clerical idea about the whole nature of a Fellowship which may make some difference. These particular Fellows are not required to take orders, but it is the general and regular thing for Fellows to do so. Also it should be remembered that those two are just the foundations where the Fellowships are not permanent. I suspect that if the Colleges were rendered wholly lay, the practical difference would be found to be very great, and far from beneficial.

But on the other hand we want many more facilities for keeping in the Colleges laymen devoted to study and tuition. And we want both clergymen and laymen in every College. At least a third of the Fellowships in every College should be

rendered capable of a tenure at least as permanent as the clerical ones, without any obligation to take holy orders.

*E. A.
Freeman,
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To the proposal that no Fellow should be required to take any of the higher Degrees, the answer is simple, Has any evil arisen from their being compelled in some instances to do so? Perhaps some evil has arisen, namely, that the election of the Margaret Professor of Divinity and the confirmation of the Theological Examiners falls too exclusively into the hands of members of those Colleges whose Fellows are required to proceed to Divinity Degrees. But this the Commissioners would obviate in quite another way, namely by abolishing all free elections whatsoever. But degrees in Medicine, and now in Civil Law, are no longer the mere formality which those in Divinity are said to be, so that what possible objection there can be to requiring a lay Fellow to exhibit a certain proficiency in one of those studies it is very hard to understand.

Celibacy the Commissioners would only relax in the case of the contemplated "Professor-Fellows," of whom I shall speak under another head. The grotesque absurdity of allowing marriage to ordinary Fellows has happily found no favour in their eyes.

RECOMMENDATION XXXVII.

The proposal to institute elective Boards in certain Colleges would seem to be an emanation from that abstract love of Boards and Oligarchies in every conceivable form which seems to have actuated the Commissioners throughout. I wish rather to deal with the latter part of the recommendation. What is meant by the words that "the election should be made by the suffrages of the whole Board or Society, and not by nomination," I do not understand. In our own mode of proceeding at Trinity we use the word "nominare," but I never understood it to mean anything but simply to "vote." They continue that "all elections should be determined by the merits of the Candidates, as tested by examination."

Now I have as little love as the Commissioners for elections by interest; I only doubt whether the electors ought to be rigidly tied down to elect merely according to the result of an examination. Surely many considerations may fairly come in besides the mere question, who writes the best Latin essay, or sends in the best historical or philosophical paper. A certifi-

E. A. Freeman, Esq. cate of character is indeed required, but this simply proves that the candidate is not an actually irreligious or immoral person; it can prove nothing as to his fitness for the office. According to the Commissioners the electors to a Fellowship have simply to discharge the same duty as the examiners in the Schools, to discover which among the Candidates has manifested the greatest amount of intellectual proficiency. Yet surely a case may be conceived in which a man might be of irreproachable moral character and might highly distinguish himself in an examination, and yet be well known to be of a disposition which would make the whole Society uncomfortable. Or again, it may be well known that there is no probability of his residing or discharging any of the duties of a Fellow. Are the electors in such cases to act as if they were disposing of a First Class or an Ireland Scholarship where the proficiency which can be tested by examination is of course the only thing to be considered? Are they to give away the Fellowship as a mere prize, without any regard to the comfort or welfare of the College? Or again the following very possible case may be conceived. A College is in want of a Mathematical Tutor; no existing Fellow is qualified for the place, but a Fellowship is vacant. Surely the electors would best discharge their duty in such a case by electing the person, who being of respectable attainments in other respects, is best qualified as a Mathematical instructor, even in preference to others who might surpass him in a general examination.

In all cases where a Fellowship is open to persons not members of the College an Examination is absolutely necessary; even in electing from one's own Scholars there can at least be no objection to it; and such Examination ought to be of very great importance in deciding the election. I only object to its being tied round the necks of the electors as an iron yoke, incapable of being modified by any circumstances whatever. The fact is that of the real idea of a College the Commissioners have no conception at all. Their 31st Recommendation and their remarks on Trinity College show that the relation between Fellow and Scholar is one that never entered their minds; this present clause shows that their only notion of a Fellowship is the very unworthy one of a mere prize.

One more observation perhaps it may be necessary to make.

The election to a Fellowship ought never to be vested in any one but the Head and Fellows of the College. It is just the point on which no one else can be so good a judge, and I have endeavoured to show that a good deal must be left to their conscience and discretion. Probably no one, unless possibly the defrauded Patrons, will be found who will not heartily concur in the recommendation of the Commissioners (p. 169) that all Fellowships in the gift of external bodies, like one or two at Exeter and elsewhere, should follow the ordinary rule, and be filled after examination by the Head and Fellows of the College.

*E. A.
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RECOMMENDATION XL.

With regard to the indiscriminate opening of Scholarships the same general principle applies as to that of Fellowships; do not change simply to make matters square with some preconceived view, but reform only where the existing system can be distinctly shown to be bad. Without at all sharing the superstitious dread which some persons seem to entertain against meddling in any case with Founders' wills, I hold that a great presumption exists in favour of their provisions, and that the *onus probandi* always rests with the innovator. Now to the case of Scholarships many of the reasons which are urged in favour of the indiscriminate opening of Fellowships do not apply. We are told that Fellowships must be opened at all hazards, because they have ceased to be mere maintenances for students, but have practically become offices of authority in the University, for which it is necessary to secure the ablest holders. Now in the case of a Scholarship this reasoning does not hold, except indirectly where a Scholarship leads to a Fellowship; should the wishes of the Commissioners on this latter point be unfortunately carried out, it would apply to no Scholarship whatever. Now in every restricted Fellowship or Scholarship a certain school, district, or family has an interest, which ought to be regarded unless it can be shown to be overbalanced by some higher interest. In the case of a close Fellowship we are told that it is for the good of the University, and therein of the Church and Nation in general, that the mode of election should be altered, and to those claims the subordinate interest must yield. But a Scholarship is still strictly and merely a maintenance for a student in the

E. A. Freeman, Esq. University, and as such cannot be said to be misapplied unless its possessor is either so well off as not to need it or so incompetent as to be unfit to be a student in the University at all. For a certain school or district to have an undue share of influential University officers, as we are told Fellows have practically become, is a very different thing from a school or district being more richly endowed than another with simple maintenances in the University.

The difference in fact is that the Commissioners, in conformity with their general view, regard a College Scholarship simply as a prize, a mere test of intellectual proficiency, like a Class or a University Scholarship. But, whatever may be the case with Fellowships, I cannot admit that any thing has occurred so entirely to obscure the real notion of a Scholarship. That is, not an honourable distinction, but an eleemosynary maintenance. A person desirous of a University education, and requiring more or less assistance to bear the expense of it, derives that assistance from the bounty of the Founder. If he is fit for a University education, he is not abstractedly unfit for the Scholarship. And why a Founder may not, in dispensing his bounty, have a regard to a particular school, district, or family, I am utterly at a loss to conceive. Regarding the Scholarship as a prize, such restrictions are simply irrational; regarding it primarily as a maintenance, they assume a very different aspect. It may be nobler and more liberal in a Founder to place no restrictions upon his bounty, but there is nothing absurd in placing them. There is nothing absurd or unreasonable in giving a preference to the heirs who would otherwise have succeeded to the revenue, or to the natives of districts from which the revenue issues. And the foundation once established, each native of the district, member of the family, or pupil of the school, acquires a right, which must indeed yield to any great public advantage; but which appears to me to be superior to any reason as yet alleged in favour of meddling at least with those Scholarships which do not lead to Fellowships, that is, according to the scheme of the Commissioners, with any Scholarships whatsoever.

A Scholarship, primarily a maintenance, does become incidentally an honourable distinction, if it is sufficiently open to

allow of many candidates appearing for it. For I take it for granted that among such candidates the person most desirable for combined attainments and character ought to have the preference. But I hold it to be a most serious error to let the prize notion go further than this, to let it swallow up the idea of maintenance, and (where such is the case) that of membership of a Foundation. The two need not exclude one another; an open Scholarship at Trinity is unquestionably an honourable distinction, but most certainly when I had the benefit of holding one, we had never learned to look upon ourselves as merely winners of a prize, but always bore in mind what I must consider the higher and worthier view of our position.

*E. A.
Freeman,
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I can quite conceive a case in which a close Scholarship may be the means of bringing to the University a young man who might perhaps not venture to offer himself for an open one, or have little chance if he did, and yet may become a useful and even distinguished member of the University. Assuredly many men obtain high classes, and are elected to Fellowships, who would have had little chance of winning their way to any open Scholarship. The innovation may indeed possibly bring its own cure with it to some extent. If the University is to be filled with open Scholarships to the extent the Commissioners desire, the case will be something the same as with the open Fellowships. Where the Scholarships are richer, or the Tuition known to be better, the best candidates will flock in greater abundance; and other Colleges, with Scholarships equally open, will have to put up with men no better than the average of close Scholars. Yet I cannot help thinking that it is, even regarded as a prize, a more desirable position to be the picked man of one's own school or county than to be a nominally open scholar among the rejected of more lucrative or attractive Foundations.

The Commissioners' love of uniformity again leads them to make one stringent rule, and fix the age of nineteen as the maximum for the election of a scholar. I really cannot understand why Colleges may not be allowed to settle these matters for themselves, or to adhere to the Statutes which settle it for them. Sir Thomas Pope's Statutes allow us to range from sixteen to twenty, and no harm comes of our having a year more than the Commissioners would grant us. I

E. A. Freeman, Esq. know that in one year we elected one scholar as young as possible and one as old as possible, and found no reason to repent the choice in either case, though the Procrustean rule of the Commissioners would have excluded the elder one.

Finally, one may again observe, as in the case of the Fellows, that the Commissioners, by making a vast number of open Scholarships, and at the same time allowing restrictions to remain in some particular cases, would create an invidious distinction which at present does not exist. Open Scholarships being now the exception, are looked upon as something honourable above the average, but close Scholarships generally are not looked down upon; on the Commissioners' plan the exceptional close Scholarships would be felt to be something less honourable than the average Scholarship, in fact, as a sort of Pseudo-scholarship.

With regard to Wales, it would surely be better, instead of congregating all the Welsh youth into Jesus College, to scatter the Scholarships confined to the Principality through different Colleges. The same may perhaps be said of the North of England. I would extend it further. While I am arguing in favour of retaining Scholarships confined to certain schools or counties, I hold it to be a very bad thing to congregate together the pupils of one school, or the natives of a district retaining any distinctive character. It in fact destroys one great advantage of University life, the being thrown together with persons of all kinds. It is a well-known fact that members of Societies so constituted mingle much less than those of others in the general intercourse of the University. It would be a gain for New College and St. John's to barter a few Wykehamists against a few Merchant Taylors, or for Queen's and Jesus to exchange a certain proportion of Celts against a certain proportion of Northmen.

RECOMMENDATION XLI.

Here again we are reduced to our old argument against meddling for meddling's sake, and forcing all Colleges to adopt a monotonous uniformity of constitution. It is unquestionably a great evil when Scholarships are allowed to be held in perpetuity, but I can see no reason why one particular time of superannuation should be forced upon every Society

without any regard to its constitution. Five years appears to me too short a time to fix in the case of a Scholar matriculated as such; the Scholar ought to have a fair chance of obtaining a Fellowship, especially in his own College, before his Scholarship expires, which he hardly has if it lasts only a year from his B. A. degree. In my own College such a restriction would often exclude a Scholar from a Fellowship without any fault of his own; or, even on the Commissioners' plan of excluding Scholars from their due preference, he would often be temporarily removed from the Foundation in an unnecessary and vexatious manner. I do not think any inconvenience has been found to arise from our statutable practice of superannuating at the age of twenty-four. But perhaps in introducing superannuation where it would be new, it would be better to fix a certain standing as a limit. Our average would be about six years from matriculation; I should see no objection to extending it till the Scholar is of standing to take his M. A. degree. If he does not obtain a Fellowship by that time, he will in most cases relinquish the pursuit.

*E. A.
Freeman,
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That no Scholar should succeed to a Fellowship without a fresh *election*, that is, that there should be a power of rejecting a Scholar, if the expectations formed on his first election have been disappointed, either as to character or to attainments, I most fully admit. That it is necessary to submit such a one to a fresh *competition* against the whole world I most strongly deny.

I may here remark the extreme unfairness of the statement which has lately received currency, that there are only 22 really open Fellowships in Oxford^c, viz. 10 at Balliol and 12 at Oriel. Fellowships like ours, and, to a certain extent, those at Wadham, where the election is made from open Scholars, can never be fairly classed among close Fellowships. In the words of Mr. Temple, "a young man on his first coming up may see his way clear towards them with no other bar than may arise from his own want of talents or diligence." The Michel Fellowships at Queen's again are not only chosen in the most restricted cases from open Scholars, but are continually thrown open to general competition. And I imagine that there are various Fellowships both at University, and at some less distinguished Colleges, which

^c Evidence of Mr. Temple, p. 129.

E. A. Freeman, Esq. may be fairly called open, to say nothing of cases like All Souls and Christ Church, where the blame lies not with the statutes, but with the traditional system.

RECOMMENDATIONS XLII, XLIII.

I most deeply regret to find here one of the best proposals of the Commissioners so closely interlaced with one of the worst, that I greatly fear, that the compound character of their scheme may tend to promote the rejection of that portion of it which is most desirable. The Commissioners propose,

1st. That certain Fellowships should be suppressed to provide a maintenance for additional Professors in the University.

2nd. That certain persons, (namely the Professors so maintained,) though appointed by an external authority, should be intruded into the Corporations of Colleges with votes as Fellows in their internal affairs.

To the former of these proposals, I can give a more full and hearty approval than perhaps to any other recommendation of the Commissioners, of equal novelty and importance; the latter I hold to be perhaps more dangerous than any other of their proposed innovations. I will therefore venture to consider them a little more at length.

There are at present vastly too many Fellowships in the University, that is, far more than are ever likely to be held by persons really discharging their duties as Fellows. For I am old-fashioned enough to believe that a Fellow of a College has duties, a belief in which I find myself opposed to the Commissioners, though supported by a large proportion of their best evidence. I can never believe that a person is doing his duty, who, while deriving emolument from a College, permanently absents himself from it, and devotes himself to some pursuit from which the College derives no benefit. Undoubtedly many a deserving Barrister has been supported by a Fellowship while he has been getting into practice; but really benefactions for this purpose should rather come from the Inns of Court in London, than from the Colleges of Oxford, or at any rate should take the form of avowed Law Exhibitions, like the Eldon and Vinerian; not of College Fellowships. I would, as a general rule, make every Fellow resident; I would give a liberal leave of absence for travelling and other ways of im-

proving the mind at a distance, but I would make the College the permanent home of every Fellow so long as he holds his Fellowship. There he ought to reside, if possible, in the combined character of Student and Teacher, but at all events in one or other of the two. But it is clearly vain to expect that all the five hundred and odd Fellowships in Oxford will ever be filled by persons of this description. I would therefore sweep away without hesitation all above the number which we may reasonably expect to be so filled, and apply their revenues to some Academical purpose. I firmly believe that the interests of the College, the University, the Church and the Nation at large, and even the real intentions of the Founders themselves, would be better consulted by these means, than by maintaining away from Oxford a body of Curates, Barristers, or Gentlemen at large.

*E. A.
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Now on the other hand, I hold firmly that, among other wants, the University needs a great extension of the Professorial body. Several new Professorships ought to be founded, several of the existing ones ought to be more richly endowed. I have not indeed the slightest faith in the wild chimæra which has of late obtained so much credence, of a Professorial system which shall render College and private tuition unnecessary; but I do hold that a numerous and well endowed Professorial body is a most desirable element in our Academical system. On some subjects a public Professor can give better instruction than a College Tutor; in others the more general lectures of the Professor will form the appropriate crown and finish to the more minute and technical instruction given by the Tutor. Again, there is at present hardly any means of keeping in the University men of ability, who wish to marry. There is no sort of promotion in their own calling offered to able and successful College Tutors. We want some means of permanently fixing in Oxford men of eminence in their several pursuits, which can only be done by offering them situations of emolument equal to at least the more moderate "prizes" in other professions. And surely it would be better for a situation of this sort, rather than a College Living, to be the goal set before the College Tutor. The diligent and able Tutor should have, as in other professions, the prospect of rising to a higher place in his own line, that is, to a University Professorship. The

E. A. Freeman, Esq. means for accomplishing these objects I should find in suppressing many of the useless Fellowships which simply encumber several of our Colleges. Magdalen, All Souls, New College, cut down to ten or a dozen working Fellows, like those of^d Trinity or Balliol, and with a good body of Undergraduates under their care, and their superfluous revenues bestowed in founding additional Professorships, would be a great step towards the regeneration of the University.

I can really conceive no better means of removing some of the greatest evils of the existing system. We should get rid of the monstrous abuse of College revenues wasted on the support of non-residents and sinecurists. We should hold out to the really deserving Fellows and Tutors a prospect which at present they have not, of appropriate promotion in Oxford itself. We should finally make the University far more than it is at present, a permanent residence for men of acknowledged literary and scientific eminence. And, in some cases at least, such a scheme would involve no departure whatever from the spirit of Founders' intentions. The illustrious Prelates who founded Magdalen and Corpus designed their institutions to be of advantage to the whole University, by supporting Professors or Prælectors. Experience has shown that the details of their scheme have not answered. That portion of the institution which was designed to benefit the whole University has been overshadowed by that portion which, as at present constituted, is a very doubtful benefit to many even of its own Members. Surely by carrying out a part of the scheme which has sunk into desuetude, but whose restoration is imperatively called for by the circumstances of the time, we are really following the intentions of the Founder according to a fair and liberal interpretation of them; we are doing what we may reasonably conceive that Waynflete and Fox, the latter a strenuous University reformer in his own day, would have done were they now among us. And is it any fair ground of complaint, if in so doing we diminish a portion of their foundations, which has

^d I may mention with an honest pride, and as showing that my notions of Fellows' duties are not wholly Utopian, that a short time back, of nine actual Fellows of Trinity—one Fellowship was vacant, and two held by Probationers, who *must* reside—seven were in residence, and every one had some share in the recognised instruction of the College.

failed to answer their intentions simply from being conceived on so large a scale as to render it improbable that all its places can be filled by persons such as they would have desired. Most nobly indeed has the existing Society of Corpus recognised its duty in the munificent offer of an endowment for the proposed Latin Professorship. More than this, a College with its hands tied by existing Statutes, cannot possibly do of itself; but Parliament may do more; and the mere increase of Professorships would be only half the battle, without a diminution in that excessive number of Fellowships, which at present are not only useless, but actually pernicious.

*E. A.
Freeman,
Esq.*

But here my agreement with the proposal of the Commissioners must come to an end. It were better to retain the existing system with all its evils, than to add to the number of Crown nominees in the University, and actually to intrude them, as has never yet been done, unless we except the single anomalous foundation of Christ Church, into the very interior of the Colleges. Magdalen College, whatever may be its constitutional or practical defects, is at least an independent Corporation of freely chosen Englishmen, subject to no external authority or influence but the general law of the land. This it would cease to be, if compelled to receive within its walls, as integral members of its body, six nominees of the Crown, who, from their position and permanency would naturally draw to themselves the chief influence in College affairs. I fully agree with the Commissioners, that the Professors to be maintained out of the College funds should not be elected by the College electors; but the inference that I make is, not that the College should have external nominees thrust upon it, but that it should have nothing to do with the Professorships beyond supplying them with their endowments. They should stand to them in no other relation than what the Cathedral Chapters occupy with respect to the benefices founded out of their funds by the Ecclesiastical Commissioners.

It is not imputing blame to the Fellows of any College to say that they ought not to be intrusted with the sole choice of a public University Professor. But it is equally clear that they ought to be protected against the necessity of receiving into their own body persons not nominated by themselves. No mixture can be conceived more incongruous than that of

E. A. Freeman, Esq. unmarried Fellows, junior men, resident in College, and married Professors, settled for life, and with whom the College must necessarily be quite a secondary object. According to the Commissioners, these two discordant classes of men are to meet together in College meetings and settle College affairs. Between men filling such totally different social positions but little harmony can be expected. The result would clearly be that the permanent senior Professors, to whom the College would be a mere source of revenue, would either carry the day against the junior working Fellows, carrying on its business, or else there would be a constant dissension and balance of power between the discordant elements, by no means conducive to the good government of the College. This would doubtless be the case, even if the Professor-Fellows were in some legitimate Academical patronage, elected by Convocation or appointed by the Chancellor of the University. But tenfold would be the evils if we are to make a further sacrifice to the bureaucratic principle, a further advance in the downward steps of France and Prussia, a further surrender of the liberties of Oxford and of England, by vesting these appointments in the hands of the minister of the day. It would be extending the long arm of ministerial influence into a quarter which it has never yet reached; and when the whole system of bureaucracy is perfected, when Universities and Colleges are under perfect drill at the hands of a minister or a Board of Public Instruction, the first lord or secretary may find college appointments as convenient modes of influencing University elections as other appointments are of influencing elections elsewhere.

The Commissioners have before truly said that "no corporations or individuals unconnected with the University ought to retain the power of nominating Fellows of Colleges." They add that "such nominations have often been extremely discreditable both in their motives and results; and it can hardly be expected that they should be made with any view to the honour and interest of Colleges." (p. 169.) It is not easy to see how this is to be reconciled with the proposal in question.

The Commissioners make two somewhat strange remarks in pp. 180-81, when they tell us that these anomalous dignitaries called Professor-Fellows would raise Magdalen and Corpus

“to something like the honourable position of Christ Church.” *E. A. Freeman, Esq.*
This certainly reads oddly compared with the remarks made by them elsewhere (pp. 176, 204) on the anomalous character of that body. They go on to say that the external nomination of the Professor-Fellows would “be no greater hardship on the College than the nomination of the Dean of Christ Church and its Canon-Professors by the Crown is on that Society.” Now Christ Church is a body so oddly constituted that no argument can be drawn from it; uniting a Cathedral Church wholly unconnected with the University, an academical College wholly unconnected with the Diocese, and the individual places in the Chapter employed as maintenances for University officers unconnected with either Diocese or College, one can only say that it attempts to prove two things and proves neither. The Cathedral spoils the College, and the College spoils the Cathedral; and probably no amount of excellence in every individual appointment could overcome the inherent vice of the system. But after all, the system is consistent in itself, and is not the same as the Commissioners would introduce at Magdalen and elsewhere. It would be a much greater hardship to have Crown-appointed Fellows mingled with freely chosen ones, than for Studentships not invested with authority to be in the gift of a Chapter chiefly appointed by the Crown. There is not the same intermingling of discordant elements on equal terms.

RECOMMENDATION XLIV.

The evils which occasionally result from the present mode of electing the Heads of Colleges are very strongly and truly set forth by the Commissioners in p. 182. It might however be worth inquiring whether the evil may not partly be in the position of the Heads as much as in the mode of election. If the Heads were unmarried and more on terms of social equality with the Fellows, if their offices were less lucrative, and terminable on the acquirement of ecclesiastical or academical dignities, a great deal would be gained. But in any case I think the Head is, for the reasons stated by the Commissioners, just the person whom the Fellows can be least trusted to choose. There is such a constant temptation to compromise, to pass by the eminent leaders of two parties, and elect some

E. A. Freeman, Esq. comparatively obscure person not specially distasteful to any one, but at the same time not the real choice of any one. But Mr. Senior's remedy is indeed one worse than the disease. The Commissioners justly say that "no change would be more distasteful in Oxford, than the transfer of the appointment of the Heads from the Fellows to the Crown." They even add, "Experience shows too that though there is a probability(?) there is by no means a certainty that the Crown would make better selections." I am however willing to believe, with the Commissioners, that other contemplated improvements will have a tendency to work a reform here also, even without extending the choice beyond Fellows or ex-Fellows of the College. Should such not be the case, I should wish to see a mode adopted similar to that in use at Worcester College, namely for the Visitor or the Chancellor of the University to choose within the limits just mentioned. Perhaps one might say the Visitor generally, the Chancellor where the Visitation is in the Crown. But it may be observed that a more practical observance of the Statutes would often be productive of great advantage. In several Colleges the Visitor does nominally choose between two or three Candidates presented to him by the Fellows, but it has unfortunately become an understood thing that he is to exercise no free choice in the matter, and that the second is only nominated *pro formâ*. Now were these provisions practically carried out, a College fluctuating between two able and well qualified persons, each supported by a party among the Fellows^e, would doubtless present them both as candidates to the Visitor. And whatever motives might direct the Visitor in his choice between them, even if he decided on personal or party grounds, either selection would doubtless be better than the present too common practice of settling such matters by a compromise.

The Commissioners, while making all Fellowships merely lay appointments, I believe, say nothing as to clerical restrictions as to the Headships. I should certainly think it gene-

^e I do not know how the election of the candidates is actually managed. The way to secure the Visitor a fair choice between two such candidates, would be for each Fellow to give a single vote for the candidate he preferred, and the Visitor then to choose between those who were first and second on the poll.

rally desirable for the Head of an academical Society to be, as at present, a person in holy orders. At the same time an occasional layman, as at present, may often supply a desirable element, especially if the present constitution of the initiative Board should be retained. The question may be fairly left to the Statutes or customs of each particular College.

*E. A.
Freeman,
Esq.*

RECOMMENDATION XLV.

Any means by which the Visitatorial authority over the Colleges can be made more practically efficient ought to be accepted as a great boon. But it should be remembered that in many cases a more exact observance of Statutes would produce the desired end. But I must in conclusion protest against the proposal of the Commissioners that the Visitors should periodically report to the Crown. Here we have again that same bureaucratic spirit, that dread of municipal liberty, which runs through the whole of their Report. The Crown is, I believe, found to be a very good Visitor, because the Visitation is exercised as a process of Law by the Lord Chancellor; but it would be a very different process to invite the perpetual interference of a Prime Minister or a Minister of Public Instruction. It is for independence, the old municipal liberties of Englishmen, the right to acknowledge no superior but the Law, that the struggle must be made. The English Universities are the truest offspring of the English constitution; they have grown up along with it, owning no individual founder, but the direct emanation of the old spirit of Teutonic freedom. A blow struck at the independence of the Universities can hardly fail to prove a blow struck at liberties higher and dearer still. With this doctrine I set forth, and with this I will conclude. I am fully aware that many who agree with my views in the main, refuse to look at the matter from this point of view. But I cannot help thinking that it is a very narrow way of regarding the subject, to look no further than the immediate point at issue, and refuse to behold it in its more general bearings. I cannot help referring more directly to the volumes which have, more than any thing else, drawn my own attention to this subject. No one who has studied the writings of Mr. Laing with the attention which they deserve will fail to see that the liberties of Oxford and the liberties of

*E. A. Freeman,
Esq.* England are very closely connected. If we once admit into our academical institutions that system of state meddling which he so well describes in the Universities and other educational foundations of Germany, we may soon be told that the wisdom of fourteen ages needs some further general enlightenment from Prussia or Saxe Coburg, and we may be called upon to submit our necks to the yoke of the functionary system in all respects. The great writer to whom I have referred makes but few allusions to the English Universities, but some of those which he does make contain the very noblest testimony in their favour, and one coming from a most unsuspecting and unprejudiced witness. But almost every page contains something of warning, indirectly but forcibly applicable to the great controversy on which we are now engaged. We have inherited a political, a judicial, an academical system, all of them kindred offshoots from one stock, all free and immemorial, all developed by each age working those practical reforms which its own circumstances demanded. On these principles let us continue to act in that great work of University Reform which can be no longer delayed. Using our existing powers of self-reform as far as they may go, and where they fail us, appealing to the Legislature for friendly aid, we may ward off hostile attacks, and hand on to our successors that glorious inheritance of self-government which has for so many ages been the pride and the happiness of Englishmen.

EDWARD A. FREEMAN.

*From Charles Neate, Esq., M. A., Fellow of
Oriel College.*

THE mode in which any changes that may be made in the Constitution of the University are to be effected, the authority by which they are to be established, are matters of hardly less moment than those changes themselves, and it is therefore of the highest importance that those who more especially represent the University, should be prepared with some definite proposal upon these points. *C. Neate,
Esq.*

If they are not so prepared, the Government and the House of Commons are likely to take the matter into their own hands, setting aside, or using only as suggestions to be considered among others, the long considered resolutions of the University as to its own requirements. It is to avoid this, and to preserve as far as possible, now and hereafter, the independent action of the University, that I beg leave respectfully to submit the following observations to the Committee of the Hebdomadal Board.

The first point to be ascertained, at any rate to be considered, is how far the University possesses in itself the power of making such changes as it may think desirable.

According to the opinion of the Lord Chief Justice and Dr. Lushington, which, until it is superseded by one of higher authority, we must treat as conclusive, the University has no power, without the consent of the Crown, to abrogate any portion of the Laudian Code. I do not understand that opinion as denying the right of the University to explain and by explaining to develop any part of the Laudian Code, except the

C. Neate, Esq., three specially Royal Statutes, and it seems clear to me, looking only to the meaning of the different words which have any bearing upon this question, that the University does possess such a power of explanation and development; but such a power would hardly be adequate for the present purpose, even if it extended, as it clearly does not, to the three Caroline Statutes, two of which, that as to the Constitution of the Hebdomadal Board, and that as to the Procuratorial Cycle, are generally thought to require some alteration.

Even if the opinion of the Lord Chief Justice and Dr. Lushington did no more than create a doubt as to the power of the University to change its own Laws, and that opinion must at least raise a doubt in the mind of any reasonable man, that alone would be a conclusive reason for resorting to a higher and more undoubted authority. It would be a most unwise thing in the University to establish its new Code upon the basis of a doubtful power, and if we were unwise enough to attempt it, we certainly should not be permitted to do it.

We must then look out for some higher authority. But in so doing we should I think lay down the following principles for our guidance.

- 1°. That the extraneous help which we may call in should be the least we can possibly do with.
- 2°. That it should be derived, as far as it may be, rather from the Crown than from Parliament.
- 3°. That it should be given in an occasional and therefore temporary form.

It is at least doubtful whether the Royal Licence would be of itself sufficient authority, even as regards the changes to be wrought in the University, apart from the Colleges. It would I think justify any alteration in the Constitution and Government of the University, but it would not authorize any modification in the endowments connected with it, which it will in some instances probably be thought advisable to modify, by the consolidation of Professorships, nor would the Royal Licence authorize (as I think) any change in the parliamentary franchise, such as would follow, for instance, from admitting Bachelors of Civil Law to the privileges of Masters of Arts.

The same difficulty would apply still more clearly and gene-

rally in the case of Colleges, whose endowments it will doubtless be proposed to exempt in some degree from the restrictions now attaching to them, and perhaps to subject them in some degree to new applications.

*C. Neate,
Esq.*

We must then resort in some measure to the authority of Parliament.

In order to confine the exercise of that authority within the limits of the strictest necessity, I beg leave to suggest the following plan—

That an Act of Parliament should be obtained empowering the Crown to issue a Commission; which commission should be empowered with the concurrence of the University, that is of Convocation, and the subsequent confirmation of the Crown, to make any alterations whatever (not in violation of any general law) in the Constitution and Government of the University, and in the application of its property and endowments.

In the case of Colleges, the same Commission should have the same power, with the concurrence of the Colleges themselves, or the ruling portion of each College, and the assent of the Visitor.

The Commission to consist of three persons, one of them to be nominated by the Chancellor of the University, with the approval of the Crown.

The selection of the other two, though formally left to the Crown would of course be a matter of private understanding between the University and the Government before the proposal of the Act.

Such a plan would I think be in accordance with all the principles above laid down. We certainly cannot do with less of extraneous help, we cannot have less of Parliamentary interference, and by receiving the Royal assistance and direction through the hands of a special Commission of visitation, we make no precedent for Government interference, through any of the ordinary channels. We do not bring ourselves in any way under the Privy Council or the Home Office.

The plan too is agreeable to precedent, it is virtually the same as that which was adopted at the last revision and consolidation of our Statutes, namely, that in Abp. Laud's time, which was done under a Commission to him, followed by a

C. Neate, confirmation from the Crown. In this case it is proposed to
Esq. obtain the further previous sanction of an Act of Parliament,
but this is no novelty, the University Statutes having been
consolidated in that way in the reign of Queen Elizabeth.

CHARLES NEATE,
Oriel College.

*From the Rev. J. M. Chapman, M.A., formerly Fellow
and Tutor of Balliol College.*

IT seems to me that all wise and safe Reforms should proceed on these three principles. *Rev. J. M. Chapman.*

1st. To remove whatever has proved useless or hurtful.

2nd. To add what is deficient.

3rd. But above all to retain what has been found to answer well.

To disregard the two former principles is to bar all improvement.

Through neglect of the latter Reform is apt to become Revolution, mere venturesome experiment involving the necessity of another and another change, and so on without end.

Keeping these three principles in view then I venture to offer a few remarks suggested by the Report of Her Majesty's Commissioners for the University of Oxford, and the accompanying Evidence.

Whatever other changes may take place, I sincerely hope that Oxford may remain unchanged in the three following essential points.

1st. That it continue to be exclusively a Church of England University.

2nd. That Divinity and Classical studies be retained as indispensable qualifications for a B. A. Degree.

3rd. That no Undergraduate be allowed to be a Member of the University without being a member of some College or Hall.

With respect to the first point, I believe the present restriction has not been found either useless or injurious. On the contrary, I believe it has maintained harmony in the University, and been one of the most effectual means of preserving the Church of England sound in the faith, and free from those

1. To continue exclusively a Church of England University.

Rev. J. M. Chapman. pernicious principles which have almost undermined pure Christianity in foreign Protestant Churches.

I think therefore it would be very unwise and rash to break down a barrier which has been found by long experience to answer the purpose of a safeguard to the most essential interests of Christian truth.

But it is argued that Oxford is a National University, and therefore should be coextensive with the wants of the nation. If it be made coextensive with the religious sects of the nation (and nothing short of this could satisfy the demand), it must cease to be a place of religious education altogether. For how would it be possible to teach each varying shade of opinion, maintained by the different denominations of Christians, and if it were possible, what else would Oxford become than a great school of schism.

Besides, if the test at Matriculation were removed, the way would be thrown open to Roman Catholics as well; and let us not forget that the gate once opened could never again be closed. Would it be consistent with Christian wisdom and soberness to venture on an experiment so hazardous?

2. Divinity and Classical studies to be retained as indispensable qualifications of a Degree.

Secondly, with respect to the second point, that of retaining Divinity and Classical studies as indispensable qualifications for a B. A. Degree, I think the same line of argument will again apply. These studies have been found to answer admirably well, notwithstanding some faults and defects which may be admitted. Has not an Oxford Degree maintained a respectable name in the country, have not those who have obtained it generally borne the character of well-principled and well-informed men? And are we quite sure that a more diffusive education, embracing a wide range of sciences would lay as sound a foundation for future studies? I fear whatever we gained in breadth, we should lose in depth and solidity. Consider the short duration of an Oxford course, 3 years, or of actual residence about 22 months, is it practicable in so short a space to obtain more than a mere superficial knowledge of many branches of science. Most studies are easy and attractive up to a certain point, especially when explained by an able lecturer, but then come the difficulties and the attendant inducement to abandon the pursuit, and rest content with a slight acquaintance with it; but it is the resolute contending with the

difficulties of a subject, the patient investigation of every thing that can throw light upon it, the diligent viewing of it in all its bearings and connexions that renders a man master of his subject, and gives him a habit of mind, which qualifies him to apply with equal energy and success to any kindred subject he may take in hand. *Rev. J. M. Chapman.*

More expansive studies may make readier talkers, but if we would train up sober and considerate thinkers, the subjects to which their attention should be confined whilst under training should be few, and these the best.

On these grounds I should sincerely desire to see Divinity and Classical studies, on which the well earned fame of Oxford has rested hitherto, continue still to be the necessary qualifications for a B. A. Degree.

Classical studies have long taken root in Oxford, and been found to flourish there : is it worth while, is it wise and prudent to root them up and force other kinds of produce, especially when many reasons render it doubtful whether they would thrive there?

Oxford, Cambridge, and the metropolis have each their own appropriate studies, and between them supply the nation well with all useful learning. Why should we attempt to change the places, where each has found a home, and force a culture in an uncongenial soil, and so perhaps sacrifice substantial points to a name and a theory?

Not indeed that I would wish to see any liberal science discouraged in Oxford. Some preparatory knowledge may perhaps be well furnished there on many subjects; but that I would not suffer any however interesting to interfere with the first laying of a sound foundation.

Of the value of Classical studies as a foundation for future eminence in any profession, I would cite one witness, but one of no light authority with every lover of taste and scholarship. *Classical studies.*

The following extract is taken from the first Prælection of the late Bishop Copleston, p. 12. “ Hæc ego, si quantum ipse sentio cogitoque, vobis item potero manifesta reddere, non erit mihi verendum, ne utilitatem a me neglectam esse queramini. Illud certe in hanc partem profiteri ausim, quantum ex usu nostro in hac Academia colligere licet, ubi ingenuarum artium studia jam diu tanquam in propria sede viguerunt, atque

Rev. J. M. Chapman. etiamnum vigent, ea in moribus juvenum formandis quam plurimum valuisse; si quidem id plurimi habendum est, quod nihil humile, nihil sordidum, nihil non virile ac generosum in se recipiant. Sint modo eorum memores quæ in nostris veterumque libris usque ad fastidium decantata noverint, ut famam appetant non levem illam et popularem, sed solidam ac perennem, quam non nisi longo labore conatibusque maximis aut quinquam antehac attigisse constat, aut in posterum consecuturum esse."

Divinity.

With respect to the continuance of the study of Divinity up to the time of the B. A. Degree, as the groundwork of all other studies, I should hardly have thought that a difference of opinion could have existed amongst any who are really interested in the well-being of the University and the country, had I not read the following ominous passage in the report of the Commissioners, p. 72.

"Such an amount of knowledge of the rudiments of religion, as may fairly be expected from any person, who has received an Academical Education, would be transferred from the final to the intermediate examination." Would be employed, this seems to mean, in common with other preparatory branches of knowledge, as a stepping stone to higher subjects, and then be laid aside. I cannot imagine anything more derogatory to Christian truth than this attempt to thrust it into a corner, or more injurious to the hard working student, than to deprive him, at the time he needs it most, of the solace and refreshment to be found, in turning from hard, dry studies, to the study of the history, doctrines and evidences of the Scriptures. I would contrast with this proposal the language of a Christian Philosopher and Theologian whose name I trust will never lose its due weight at least in that University of which he was one of the highest ornaments; the Rev. John Davison thus writes:

"Perhaps it might be thought that the true scope of education is rather to furnish the young with skill and learning required for their particular callings in life. But consider this point. Our callings in life are not the end for which we are sent into the world. They are stations which God has appointed wherein we may do what is right and good, and practise certain duties and serve Him. We are not born to be mechanics or husbandmen, merchants or mariners. These callings and professions

are temporary states of probation, giving birth and opportunities of exercise, to integrity, patience, dependence upon God, *Rev. J. M. Chapman.* contented and virtuous industry, and supplying the means of doing good in various ways. Our particular callings diversify the occupations of life, whilst the great laws of God, and the business of our moral and religious duty resulting from them, follow us into every calling, and create the constant employment of our habits and principles.

“Whatever may be our post or profession, and whatever skill or learning it may require, which no doubt ought to be provided in youth, still our first and last care for ourselves, and our young families, should be that we be instructed in our obligations and duties, and acquire the skill of being good men. It is only a debasement of the mind, either for the young or the old, to *separate* any of their studies or pursuits from this controlling moral direction^a.”

Shall we caution our poor parishioners in no case to *separate* the studies and pursuits of their children from the controlling moral direction of religion, and shall we in training in our Universities those classes who are to supply candidates not only for the ministry of the Church but for all the learned professions, leave out Divinity in the most important year of their course, as a subject to which sufficient attention had been already paid. Would not this be to put a manifest slight on Christian knowledge, and to encourage human science at the expense of it? is this the right way to arm defenders of the faith qualified to contend with the growing spirit of infidelity?

Shall we reform away that part of our system which experience has proved to answer best of all; and which we should surely try rather to improve than to abridge. If we are in earnest in our endeavours to enlarge the opportunities to students of qualifying themselves for Holy Orders, I trust Oxford will never consent to do such wrong to the most important of all subjects; and whilst encouraging by fresh stimulants the highest attainments in all other branches of knowledge, by her very system stint the student to such an amount of knowledge of the rudiments of religion, as may be

^a “Religious and moral education recommended. A Sermon preached at South Shields.”

Rev. J. M. Chapman. fairly expected in any one. Expected by whom? by the world? then truly the standard may fall very low.

Members of
the University
be members
some Col-
lege or Hall.

3. I proceed now to offer a few remarks on the third point proposed. I mean the inexpediency of admitting any as members of the University without admitting them at the same time as members of some College or Hall. I believe that to do so would be in the highest degree injurious to the well-being of Oxford; inasmuch as it would at once divide the resident members into two very distinct, and very discordant classes, the members of the Colleges and the members of the University, or the members who were educated and the members who were merely taught.

The members of the University only, besides wanting the obvious advantages of daily attendance in the College-Chapel, Hall, and at Lecture, and the restraint imposed by the early closing of the College gates, advantages which however evaded by some and slighted by others have a very powerful effect in forming the habits of well-disposed young men, and in keeping them from the corrupting influences of temptation without the walls; besides the loss of these securities, they would want the advice and encouragement of the Heads and Tutors of the Colleges or Halls, which I know in very many instances to be given with most earnest and affectionate sincerity, and received by undergraduates with a generous desire to prove themselves not unworthy of the lively interest taken in their welfare. They would lose too, in a great measure that invaluable mutual discipline which right-minded undergraduates exercise over one another; that courtesy and decorous bearing towards each other which at present generally marks the conduct of undergraduates would hardly I apprehend survive, when all the controlling influences of College were removed.

And what is there to set against this amount of loss, except the single item of economy?

But were it even proved that the expense would be considerably less than in an Affiliated Hall, which I do not think would be the case, still the loss would surely be far more than commensurate, not only in a moral but even in an intellectual point of view. For who is to direct and control the studies? Is a freshman to be left to his own choice of Lectures? then

I fear the application would be of the most desultory kind and the learning correspondently superficial. Besides even in the cases of the well-disposed and diligent, attendance on Professors' Lectures however excellent could never compensate for the loss of continual drilling by a College Tutor.

*Rev. J. M.
Chapman.*

Under the present system I believe that no undergraduate goes through an Oxford course *with good conduct*, without having his character raised and refined by it, and when he leaves, returns to leaven and improve the class in which he moves. The more widely therefore we can extend an Oxford education, without impairing the efficiency of it, the greater the benefit conferred upon the country. I would exclude no member of the Church, of good character, sufficiently qualified and apt to learn, feeling persuaded that intercourse with others would supply early defects and disadvantages.

I would give all who could find the means, the opportunity of raising themselves by their own merits and exertions, through the discipline of an Oxford course of study. But there is a wide difference between raising the less educated classes to the Oxford level, and depressing Oxford to the level of the less educated classes. The former I believe to be the result of the present system, and that it would continue to be so, if that system were extended on right principles. The latter I have little doubt would be the consequence of admitting indiscriminately any to be members of the University alone; an inferior class of students would bring up with them rude, uncultivated manners and habits, and have no opportunity of improving them by intercourse with others better trained. Their intellect might be quickened by attending Lectures, but in the absence of due discipline and good society, there would be little chance of improvement either in their manners or morals: and thus, instead of a benefit, I fear a very serious injury might be inflicted on the country, by sending forth a body of sharp witted young men, with very ill regulated minds; and only the more influential for mischief, by carrying with them the sanction of an Oxford Degree.

Having ventured to express my strong conviction of the importance of making no changes in these three essential points, I am anxious to repeat that I am most desirous of seeing the benefits of an Oxford education brought within the reach

Rev. J. M. Chapman. of a much larger class than are at present capable of enjoying it. Our many new Churches at home and in the colonies demand a large additional supply of Clergy. And many classes who have improved their social position by their own energy and industry, entertain a very natural and praiseworthy desire to give their sons the advantage of a College education, and it is alike important for the interests of the University and the country, that they should imbibe sound and sober views of religion and learning under the influences and associations of our old Universities.

Affiliated
Halls.

The endowment of new Scholarships or Exhibitions might do something and perhaps in the best way, but this would be quite inadequate to the want. Of the other different plans proposed I have no hesitation in expressing my conviction that the plan of Affiliated Halls is incomparably the best. This affords all the advantages of College tuition and attendance at Chapel, with protection against the expense inseparable from the present mode of living in Colleges.

I do not think it would be just to enforce on any College the adoption of this plan; but I believe that some with due encouragement and assistance from the University funds would at once be willing to attempt it, and if it were found to answer, others no doubt would follow so noble an example and assist in conferring so great a benefit on large classes of their countrymen.

The chief objection urged against this plan, that of introducing a new and inferior order, I do not think ought to have much weight; the case is totally distinct from that of admitting members of the University only: the inferiority there would be that of manners and morals, and not merely of position arising from narrower means.

Where a Hall consisted of students of the same rank, there would be no painful collision as in the case of one or two in subordinate situations in Colleges. If the members of the new Halls conduct themselves with modesty and propriety, and obtain distinctions by their talents and diligence, they will soon command respect, to which many of them would probably be quite as much entitled by mere birth and education as many members of Colleges. But if even after all it be admitted that there would be a temporary inferiority of social position, this

would be but a very tolerable privation to undergo for the purchase of the invaluable benefit of a sound University education. And perhaps it would be no great harm if one of the lessons learnt there were humility. *Rev. J.M. Chapman.*

With respect to the question of the comparative value of the Lectures of Tutors and Professors, I think no one experienced in the wants of undergraduates would hesitate generally to prefer the former—but I have always thought it highly desirable to combine the two; and during my own residence, I took every opportunity I could find leisure for, of attending the Lectures of Professors. It is, I think, admitted that the Lectures of a Professor chosen in the first instance for his competent knowledge of a particular subject, and devoting afterwards his whole time to it exclusively, are likely to have a manifest superiority over Lectures on the same subject given by a College Tutor who has his attention divided between several subjects, and other College duties independently of giving Lectures. •
Professorial
Lectures.

It must therefore be a great advantage to an undergraduate to be able to attend the Lectures of a Professor which bear upon the subjects of his College reading. And I do not think there would be much difficulty in so arranging College Lectures as to allow diligent undergraduates to attend *one* course of Professorial lectures every term, *after* they had passed Responsions. But I think the Lectures selected between Responsions and the first Public Examination should have reference to the subjects of that examination. An indiscriminate attendance on Lectures merely because the subjects of them happen to be attractive, should I think be discouraged. After the first Public Examination, it would be quite soon enough to attend other Lectures on those subjects which each might select for examination in the second school.

With respect to Lectures which have no reference to any subject of examination, but are merely preparatory to a future profession, I think the proper time for attending them would be after taking the B.A. degree. And two terms of residence instead of one might perhaps be required for the purpose between the B.A. and M.A. degree; especially if the Grace Terms given for the B.A. degree were abolished; which, as they are practically useless, seems desirable. The

Rev. J. M. Chapman. terms so spent might, I do not doubt, be very profitable ; and with the other attendance of undergraduates give ample employment to Professors.

But in order to render the Lectures of Professors of much use, I think some steps should be taken both to assist those who attend them, and to ascertain their progress. Both these objects might perhaps in some measure be attained, if the Professors at the end of each Lecture were to affix to the door of the lecture room questions on the subsequent Lecture, in order to direct the attention of the students to the main points to be explained. The answers might be examined perhaps by a College Tutor and reported on to the Professor, who might select the best for especial notice, and give a certificate of merit at the end of the course, to those who on the whole had acquitted themselves best.

In this way I think the most perfect harmony might be maintained between Professors and Tutors, when each felt that they were working effectually in their respective spheres to promote an accurate and enlightened education.

Examination
at Matricula-
tion by Col-
leges, not by
the University.

A *bonâ fide* examination at Matriculation, I think, should be, if possible, enforced ; as it is an injury to admit young men who are incapable of deriving benefit from College Lectures. But I should wish to see it conducted by each College and not by the University, for these reasons :—1st because a University examination must be fixed at so low a standard as probably to defeat the object of it, certainly at a much lower than many colleges at present adopt ; but chiefly because public examiners (and a private University examination seems to me a strange anomaly) can exercise no discretion, and make no allowances, and so would exclude, not, I think, for a time only, but altogether, many good and many promising men, who had suffered from early disadvantages of education ; but who, when admitted, would gain confidence by hearing others examined, and soon repair their loss.

There seems to be no way in which a College may advance its credit more effectually than by due strictness at admission ; and the Tutors of each College might be required to certify that the candidates whom they present to the Vice-Chancellor for matriculation had passed a reasonably satisfactory examination. This College examination would equally exclude

unfit candidates and improve the quality of instruction given at schools. It might indeed be made more effective than a public one, and yet not so alarming to the diffident, or so incapable of being accommodated to peculiar cases.

As to removing restrictions from Fellowships and Scholarships—having witnessed the excellent effects of throwing open the Scholarships at Balliol, which were scarcely thought worth acceptance, whilst they were given without competition, I would remove every restriction which could be removed honestly, and give the widest interpretation to the wills of Founders and Benefactors, they were capable of bearing without violence; but of departing altogether from the intention of Founders, I doubt the honesty.

Restrictions
on Fellowships
and Scholar-
ships.

Men of large and liberal views, no doubt, are often willing to hold out rewards to merit, without any influence of local attachment; but I believe the prospect of conferring lasting benefit on scenes endeared by association, has often proved a powerful stimulant to such benevolent minds, and I think it an unquestionable fact, that Oxford owes many of its endowments to these feelings. I doubt therefore the honesty of retaining the endowments, and disregarding altogether the motives which prompted them. The opinion of lord Holt, quoted in the evidence of Dr. Phillimore, seems to me to carry great weight with it^b; and the fallacy of the argument, “that because the wills of Founders have of necessity been departed from in some cases, it is allowable to disregard them altogether,” has been exposed with great force and clearness in the able article in the Quarterly Review on the Oxford Commission, in the following passage:—“English Law regards the Founder’s will as living and active, except on those points on which there is some imperative call to interfere with it. Is there a part of a Founder’s or Testator’s intention which cannot be put in force? English Law sanctions that exception, but regards the Founder’s will as going on and acting still, only minus that particular portion. Is there a portion of a

^b The following is the opinion alluded to:—“I must say that if the Heads and Members of a College will receive a charity with a yoke tied to it by the Founder, they must be content to enjoy it, in the same manner in which they have received it from him, if they will have one thing they must submit to the other.”

Rev. J. M. Chapman. Founder's design, which, on some very urgent and plain ground of expediency, needs a dispensation? English Law allows that exception too, but still, as before, regards the Founder's will as going on and living, only minus the excepted part. The Founder's intention, thus from time to time modified, endures in substance, and is a permanent living and present agency in the eye of English Law. The exceptions to it, where exceptions are made, do not affect the residue, which remains as binding as the entire whole would have been had no exceptions been thought necessary. Nor does the Law under such circumstances regard the State as taking the foundation out of the original Founder's hands and disposing of it afresh, but the original Founder as continuing in power with respect to all of the institution which remains, while the State is only the authority for the departures from it."

I believe that such considerate regard for the manifest intentions of Benefactors would not only be right in principle, but would be most likely to conciliate future Benefactors.

Still I believe that if the spirit of the Founder's will were in every case consulted, far greater latitude might often be allowed, and Fellowships and Scholarships thrown open, with the sanction of the Visitor, and perhaps that of the Court of Chancery, to much wider competition.

Residence
after B.A. De-
gree to attend
Lectures.

I do not think it would be desirable to attempt to enforce an examination for the M. A. or higher Degrees, but if every B. A. were required to keep two Terms of residence instead of one as at present, in order to attend the Lectures of Professors and receive certificates of attendance, the M. A. Degree would at least indicate some additional acquirements which might take the direction of the future profession.

Preparation
for Holy Or-
ders, by at-
tending Divi-
nity Lectures.
College Lec-
tures in He-
brew.

By this additional residence, I think a competent knowledge of Divinity might be acquired by candidates for Holy Orders, supposing always, that the amount of instruction given in some Colleges were given in all, and continued up to the time of the B. A. Degree; especially if in addition to this all Colleges would adopt a plan similar to Dr. Busby's excellent institution of Catechetical Lectures at Balliol. I do not know any way in which a person disposed to become a Benefactor to his College could confer so great a benefit at so small a cost as by endowing a lecture of this kind. One thousand

pounds, I imagine, would secure a yearly course of Lectures *Rev. J. M. Chapman.* for ever; and the use of them both to the Lecturer and the undergraduates, who return written answers to questions upon them, I believe to be great and permanent^c.

The distinction of Grand Compounders, I think, is generally *Distinction of rank.* allowed to be an unreasonable one.

The distinction of Noblemen I would retain, as one recognised in the country.

That of Gentlemen Commoners, or Fellow Commoners, which seems the fitter name, is I think useful for married men and others, who enter college late in life, and find no sympathy amongst younger Undergraduates, but may derive great advantage from the society of the Common Room: in other cases I should not regret to see the class discontinued.

Private Tutors I think very useful for those above and those *Private Tutors.* below the average level of attainments, as it is impossible to adapt College Lectures to meet peculiar cases. The expense seems a necessary penalty in the one case, and in the other is well repaid by the increased security of attaining distinction in the Schools.

They are generally a valuable body of young men who have distinguished themselves, who, by devoting a few years to this employment, are able to repay the expenses of their own education, and provide means for a future profession. This class too, forms a nursery for Tutors and Professors; I do not think it would be practicable or desirable to do away with them altogether, but for the general average of young men, however, I think a private Tutor a very needless expense, as with due diligence, College Lectures are quite adequate to prepare them for a Degree.

^c I cannot help wishing indeed that the study of Hebrew were made a part of a College course, at least for those who looked forward to the Ministry of the Church. If it were encouraged in Colleges, it would soon probably be taught in schools, as it is in some already, e. g. Merchant Taylors', and in the course of another generation we might perhaps see the Clergy well versed in the original language of the Old Testament, the general want of which is certainly a great defect at present. The Hebrew Professor's Lectures would then be far more useful when delivered to a class well grounded in the rudiments; at present few can stay long enough to become masters of the language, and then when they go away and lack help and encouragement, let it altogether drop.

Rev. J. M. Chapman. *Expenses.*—The necessary College expenses are, I believe, in the course of being abridged, as far as is practicable, by the commendable diligence of the College authorities in revising them. The more all reasonable wants can be supplied within the walls of the College the better, but I think there is some cause to fear that there is a tendency in some instances to carry this too far, and to furnish luxuries which are not reasonable.

The prohibition of introducing from without all that ought to be required, when it may be furnished within the College, though it may be evaded by some, acts as a protection to the obedient, and checks a foolish rivalry in extravagance which few young men have courage to withstand. Anything which can be done to prevent extravagant entertainments, and expensive amusements, should, I think, be enforced with all authority.

I think the written sanction of parents might be required for keeping a horse. Hunting, as especially wasteful of time and money in a high degree, I cannot think consistent with the sober habits which should distinguish a place of education.

The plan of requiring tradesmen to send in their bills regularly every term, though it might be evaded by the wilful, would save the inadvertent from embarrassing themselves with debt before they were aware; but I believe the only effectual security against expense, is the inculcating right principles, and enforcing diligent habits, by timely warning of the idle, and removal of the incurable, before they have time to infect others.

Abridging the time of holding Fellowships.

The proposal to abridge the time of holding Fellowships I think most undesirable; the reasons given by Archbishop Whately on this point, seem to me to be quite conclusive.

Proctors.

The altered state of the different Colleges plainly calls for a new cycle of Proctors, but I by no means think it desirable to revert to the old tumultuous mode of election by Convocation, and far less by a more exceptionable body. I think they should be elected from members who have been for some time resident, and know the state of the University. Some recent instances of the perverse use of the veto, I think quite justify the withdrawal of it. There should not be the power to silence the deliberate opinion of the very body whom the veto was given to protect.

I have never heard that Proctors abused the power of nominating Examiners and Select Preachers, and therefore I would continue it. We have long experience to prove that they exercise it in accordance with the general feeling of the University. We can only conjecture how a new body not yet in existence might exercise it. The assisting in the decision of prizes might perhaps be placed in fitter hands, as a good disciplinarian may be an indifferent critic.

I think the effect of want of experience is overrated, as the Marshal supplies all necessary information, and few I believe would be found desirous of exercising so difficult an office for more than a single year. Besides, in case of improper appointments, the discipline would be relaxed for twice the time.

With respect to the Constitution of the University, I ought perhaps to speak with diffidence, as I never felt myself, during a residence of twenty years, the depressing burden of the present system, a burden now it seems grown so intolerable, that the Commissioners could hear one single voice alone lifted up to utter its apology. The exception is indeed, as they admit, a remarkable one, and might, one should have thought, have suggested to them, as it does certainly suggest to others, that there might be other voices which were silent for graver reasons than to give consent.

Hebdomadal
Board.

For my own part, I cannot help expressing a very strong conviction, that the stability and permanency of the system as at present managed by the Hebdomadal Board, has far more than counterbalanced the slight inconveniences attending this mode of government. I believe few greater evils could be inflicted on the University, than a governing body disposed to be for ever meddling and given to perpetual change.

The Heads of Houses are for the most part persons who have gone through the routine of College offices, as well as in many instances having been Public Examiners, and so have had opportunity of judging of the system in its different bearings, and less likely therefore to be carried away by a particular theory, than younger men whose whole attention may perhaps have been hitherto engrossed by some favourite study. And I cannot think that the qualities, which in the deliberate judgment of Fellows, (which we are bound to believe they exercise wisely and conscientiously,) render any one of their own body

Rev. J. M. Chapman. most competent on the whole to discharge the duties of the Headship of their College, should be any disqualification for performing the corresponding duties of governing the University wisely and well.

- If, however, general opinion does indeed, as it is affirmed, call for some modification of the present system, and if the alteration is to take the form of a representative body with power of initiating measures, the like power still remaining with the Hebdomadal Board, then let it be at least more limited by far, and guarded far more cautiously, than Congregation remodelled, or rather created quite anew, as proposed by the Commissioners: let it at least represent the present real University, not a future and ideal one.

Revised
Congregation.

For let us for a moment call to mind what is to be the constitution of this new Congregation; of what elements is it to be composed?

First then it is to consist of the Heads of Houses and Proctors. But is it respectful to the Heads of Houses to merge them in an assembly of which they would constitute not quite one fourth, and so be liable to be outvoted by three to one in any sweeping measure of so called improvement. The Senior Tutors would, it is true, be called away from their own proper duties, to constitute another fourth, and might or might not act with their respective Heads in protecting the interests of the Collegiate system. The remaining and the larger half is to consist of the Professors, and these, not the present body of generally grave and soberminded men, but a body not yet in existence, but to be gathered one day from any quarter, where a name distinguished in any branch of science can be found—and this however alien in religious principles and habits—for the only qualification of a Professor to be recognised is that of character and fitness for his office, qualifications to be pronounced upon by the Prime Minister of the day.

Suppose then this new body, in which these new Professors are to constitute, if not the majority, for the present Professors would be some check to that, at least a very active and energetic portion of the body, and likely therefore to carry with them the sanguine and inexperienced, met for business. And suppose the different elements, after they had harmonized, as best they might, their various conflicting tenets and opinions,

to send forth the result of their deliberations for the reinvigorating the decaying energies of our old and venerable University, and who is wise enough to forecast the end, or rather, who is so unwise as not to see, that end there would be none. *Rev. J.M. Chapman.*

A Government so constituted could betoken nothing but perpetual progress. •

If this and the other chief changes recommended were ever to take place, which sober sense forbid, I know no name at all adequate to express the gravity of the Reform, short of "The Oxford Revolution."

J. M. CHAPMAN,

Rector of Tendring,

Formerly Fellow and Tutor of Balliol.

*From the Rev. James T. Round, B. D., formerly Fellow
and Tutor of Balliol College.*

IT seems a natural act of duty in placing on record the following thoughts on the University of Oxford, to introduce them, with a thankful recognition of the unnumbered religious, intellectual, social, and pecuniary advantages which I have derived from it, and to accompany them with an earnest prayer that the sense of these advantages may never be effaced.

*Rev. J. T.
Round.*

I. Among the various important subjects which claim consideration, the first place seems to be properly assigned to the Constitution and Government of the University.

1. Constitution and Government of the University.

It appears from the Evidence, which has recently been printed with the Report of the Commissioners, who were appointed by her Majesty to inquire into the state of the University, that out of the 53 persons who furnish evidence, 22 of them complain more or less of the existing form of Government, while the remaining 31, (with the single exception of one great authority in favour of the existing form), i. e. nearly three fifths of the whole number, are silent on the subject. Whilst I cannot but hope, that the dissatisfaction which is thus expressed by the minority has been occasioned by temporary causes, and will therefore gradually subside, yet the occurrence of mutual distrust, if not jealousy, between two classes of office-bearers in a place of education, is too serious an evil to be passed by without some attempt to provide a remedy. It seems however but just to notice that some of the objections to the present Constitution of the University do not rest on sufficient grounds. It can hardly be urged as an objection^a to the Hebdomadal Board, that the Heads of Colleges "are elected by their respective societies and owe their election to the confidence which those bodies repose in them" even if that confidence has arisen merely "from a sense of past services, or

Hebdomadal Board.

^a Report, page 12, line 18.

Rev. J. T. Round. the acknowledgment of qualities adapted to manage the details of finance, property and discipline, or from social merits calculated to govern and harmonise the society." If these qualities are really gained to the Hebdomadal Board, by the method in which its Members are appointed, it is obvious that some very essential elements of a good governing body are hereby secured to the University. It is further urged as an objection that "the Heads of Houses do not necessarily, or even very generally, follow literary and scientific pursuits." It would be indeed a serious objection to the Hebdomadal Board, if it could be shewn that the literary element did not generally prevail among its members. But this will hardly be contended at the present time, when two thirds of their number (that is 16 out of 24), are either Professors, Authors, or Editors; or have been public Examiners, Tutors, or distinguished in the Class List. There are among the present Heads of Houses, 4 Professors, 6 Authors or Editors, 6 have been Examiners, 8 at least have been Tutors, 9 have obtained either a first or second Class, one has been Head Master of a Public School, and 2 are Laymen. It is also said "nor are the Heads of Houses directly or closely connected with the instruction of the place." But it will scarcely be considered that this statement is proved by the circumstance "that they appoint the Tutors, and preside with more or less activity at the Terminal Examinations." If the Heads of Houses appoint the principal instructors of the students, and take part in the College examinations at the end of each term, it is difficult to deny that they are "directly and closely connected with the instruction of the place." If then this must be granted, and if it be also true that two thirds of the members have proved the interest which they take in literary pursuits; and lastly, if it be supposed, that the remaining one third of the members have been selected merely from their acquaintance with the details "of finance, property, and discipline, or from social merits, calculated to govern and harmonise the society" to which they belong, there does not appear to be any great *a priori* reason for complaining of the Constitution of the Board. Indeed where a variety of duties have to be discharged in connection with the discipline, finances, government and legislation of the University, a corresponding variety in the qualifications of the Heads of Houses must be regarded

as a substantial advantage. It is also worthy of notice, in reference to the capability of the Colleges to furnish in their respective Heads properly qualified Governors and Legislators for the University, that the immediate predecessors of one third

*Rev. J. T.
Round.*

the present Members of the Hebdomadal Board were elevated by the Crown to the Episcopal office; whilst it is generally understood that Dr. Cyril Jackson, Dean of Ch. Ch., and Dr. Tournay, Warden of Wadham, to both of whom the University is deeply indebted for the wisdom and energy with which they directed her counsels, refused upon more than one occasion the same promotion. On the other hand the acknowledged merits of the course of recent legislation in the University do not make out a case against the authors of it, or prove them unfit for the duties which are assigned to them^b. Perhaps however the objections which are just now alleged against the Constitution of the University do not press so heavily against the Hebdomadal Board itself, as against the relation of that Board to Convocation. The objection which is most strongly felt, and most frequently urged, is, that there is no free communication between the members of these two bodies; that legislation is obliged to take place without previous conference. If this is felt to be a real evil, perhaps the Hebdomadal Board might think it expedient to propose an alteration in the Statute "Titulus XIII" entitled "De Hebdomadali, et ordinario Conventu Præfectorum Collegiorum et Aularum," the effect of which should be, that, previous to the proposal of any new Statute in Congregation, every Head of a House should be obliged to communicate the proposed new Statute to a meeting of the Resident Members of Convocation belonging to his House, and to intimate his readiness to receive within days, and to lay before the Hebdomadal Board any written statement, relating to the proposed Statute, which any Member of Convocation might be disposed to place in his hands; that the form of the proposed Statute should be finally settled for proposal in Con-

^b I admire and love the Constitution of the University, because it is founded on the filial principle. The Statutes of my own College taught me to regard the Master "in loco parentis," and I therefore look up to the Heads of Houses as a Council of "Fathers." Woe will be to England when the Fifth Commandment is removed from the Head to the Tail of the Second Table of the Decalogue.

Rev. J. T. Round. gregation, after a due consideration of any written statements which might be in this manner submitted to the Board. If it is thought that this arrangement does not provide sufficiently for the interests of Science, it might be statutably required of every Professor and Reader, to make a short Annual Report to the Board, relating to the science under his charge, and to offer any suggestions which he might think necessary for encouraging the study of it. With regard to the appointment of Proctors it seems very expedient that the Cycle should be readjusted. In addition to this, the Statute which relates to their appointment might be interpreted to mean, that none shall be elected to the office but those who have been *resident* in the University four years, "a suscepto Magisterii gradu." This interpretation would help to secure, in these important offices, a due acquaintance with the laws and customs of the University. The Vice-Chancellor might also be required to send an exhortation to the Head of the College, which was about to appoint the Proctor, to make the selection, not according to seniority, but from those who were most eminent for piety, learning, and judgment. If some such method as this were observed, the University would seldom be troubled with an unsuitable officer in this responsible post. If in addition to this, the suggestion, which has been made by Mr. Scott of Balliol, should be carried into effect, "That every Proctor must have previously held the office of Proproctor," a sufficient remedy would be provided for all the disadvantages which have been occasionally felt under the present system. Any attempt to reduce the Proctor to a mere Police Officer is strongly to be deprecated. Few men, properly qualified to represent the University, as the Proctors do, would be willing to accept the office under these circumstances. The weary night hours, which the Proctors have to spend in maintaining the discipline of the University, require to be compensated by the Literary, Legislative, and other still more responsible functions, which attach to the office, in connection with the appointment of Select Preachers, Examiners, &c. It has not yet been proved that these functions have been inadequately discharged by the Proctors: I trust therefore that sympathy will still be felt by the Heads of Houses, and by other Members of Convocation for a laborious office, (which I had once the honour to hold.)

Proctors.

and that the day is far distant, when it will be shorn of its more elevated duties. *Rev. J. T. Round.*

2. The proper offices of a University seem to be threefold.

1. To promote the advancement of Religion and Virtue, Learning and Science.
2. To provide a liberal education in all four of these for the Clergy and Upper Classes of Society.
3. To afford to those of the Middling and Lower Classes, who show a proper capacity, the opportunity of raising themselves by means of a liberal education, to situations of usefulness and honour.

If the order in which these offices has been placed is the right one, it follows that the *Professoriate* stands next for consideration. It is obviously of the first importance that the University should be able to retain in its service men of the greatest eminence in Theology, General Learning, and Science. In the two former, its Professors should hold the highest place; in the last, they should yield to none but those of the Metropolis. Without this, it cannot take the lead, with its Sister Universities, in the education of the upper classes in the highest branches of a liberal education. Assuming the truth of the Christian Religion, and that its avowed design, as far as this world is concerned, is to reconcile man to his Maker, and to restore the soul of man, with its intellectual and moral powers, to the Image of God, it follows that the study of this religion must occupy the first place in the University; and that the knowledge of it must form the basis of all other knowledge. It is necessary then, in the first place, that the University should be able to command the services of the most eminent Theological Professors: and it is to be acknowledged with thankfulness, that noble endowments have been provided for the different branches of Theological learning. But inasmuch as the Creator of all things, to the knowledge of whom man is to be restored by the Gospel of Jesus Christ, is "the Father of lights," it follows that Religion opens the way to all other knowledge. Man, "being renewed in knowledge after the image of Him that created him," is prepared to carry his researches through the depths of learning and science, safely and successfully. From hence it follows that Learning and Science are to be the inseparable handmaids of Religion. These

2. The Professoriate.

Rev. J. T. Round. three are to pursue their course in the closest union, without the slightest fear or jealousy of one another; Religion sanctifying and elevating, as well as encouraging the pursuits of learning and science, and they, in turn, confirming the authority, and extending the influence of Religion. The mischief, which accompanies their separation is shown by other countries; the blessings, which attend their union by our own. Hence the Universities of England, in fulfilment of the office which they undertake, are specially bound to illustrate this union in the completest manner. And therefore Oxford should have the means of commanding the services of men of great eminence in all the departments of literature and science, if not of art. And if the progress of knowledge has of late years taken such a direction, that certain branches of science are brought to perfection only in the Metropolis, it becomes the University, instead of abandoning her office of dispensing all knowledge, to provide the best means in her power, by the assistance of additional endowments, for securing the services of the most distinguished masters of science. If, before this time, the Professorships have, in various instances, been held by men of high talents and attainments, this is not to be attributed to the sufficiency of the endowments, which, for the most part, are very small. The emoluments of the most important of the Professorships ought to afford an annual income of at least 800*l.* a year, in order that they may offer the means of a settlement in life. And in addition to this, there ought to be attached to each one of the greater part of the Professorships, a fund of at least 50*l.* a year, out of which the Professor might reward the most diligent students with prizes in books, or plates, or maps connected with his subject, or with money. In order to accomplish this object effectually, by adding to the incomes of the old Professorships, and by founding new ones, a large annual sum is required; but there are several sources from which something might be derived.

1. *A Tax* of 1*l.* a year might be imposed on all Members of the University, who are under the degree of M. A. This would raise at least 2,500*l.* a year, even if no addition should be made to the number of students.

2. By a recent statute, Undergraduates are obliged to attend two courses of Professorial Lectures. In addition to this,

Bachelors might be advantageously obliged to attend four more courses each. If the fee for each course attended by Under-graduates and Bachelors is set at one guinea, the sum raised from this source will amount to 2,500*l.* a year. And with the addition of the fees from M. A.'s, and from strangers, a further sum of 500*l.* a year might be expected.

*Rev. J. T.
Round.*

3. It is reasonable to believe that all the Colleges will be ready to contribute an annual sum towards this object from their corporate funds. If the poorer Foundations should contribute 100*l.* a year, and the wealthier a larger sum, according to their means, a gross amount of 3,000*l.* a year might be obtained. This principle has been already adopted by the Colleges on a smaller scale, for the purpose of maintaining a school for the education of the poorer classes in the City of Oxford; and it might well be applied towards enabling the University to discharge effectively one of its own proper functions.

4. In the event of these arrangements being carried into effect by the University, and by the Colleges, an appeal might be fairly made to the Legislature to release the 2,000*l.* a year, which the Government receive from the Degrees, and assign it, either to the Professorial Fund generally, or in certain amounts to distinct Professorships.

5. When the mind of the University has been sufficiently declared on this point (especially by the foundation of certain new Professorships, which seem necessary to complete the circle of knowledge, which the University professes to embrace) offerings of money may be confidently expected, from the Piety and Munificence of individual Benefactors. It will not be forgotten that many of our Professorships have sprung entirely from this source. If these different methods of raising money are brought jointly into operation, it may fairly be calculated that eleven or twelve thousand a year will be easily raised; without having resort to any Legislative interference with the endowments of Colleges, or to the planting of Professor Fellows in Colleges by the Crown, measures which are quite at variance with English Law, and with the principles of our constitutional monarchy. One of the strongest barriers in defence of religion, liberty, and law is to be found in the independence of the Universities.

Out of the funds thus raised, after setting apart 1000*l.* a

Rev. J. T. Round. year for the encouragement of the students in attendance on the Lectures, eight of the old Professorships require to be raised to about 800*l.* a year each. 1. *Greek.* 2. *Civil Law, or Vinerian.* 3. *Medicine.* 4. *Astronomy.* 5. *Modern History.* 6. *Chemistry.* 7. *Botany and Rural Economy.* 8. *Geology and Mineralogy.* Three new Professorships of the same value with the above are, 1. *Latin.* 2. *Rhetoric and Elocution.* 3. *Zoology.* One new Professorship (value 700*l.*) is required of *Geography*, (embracing, among other subjects, "Climate, Winds, Storms, &c.") and three new ones, i. e., one of *Antiquities*, one of *Architecture*, one of the *Fine Arts*, value 500*l.* a year each, until a larger endowment can be obtained. Additions also might be advantageously made to the following Professorships, viz.: 1. *Lee's Reader in Anatomy.* 2. *Ancient History.* 3. *Music.* 4. *Moral Philosophy.* 5. *Arabic.* 6. *Political Economy*, embracing practical, not political instruction in machinery and commerce. Some part of the income of the Professors will be fixed, and some uncertain, being derived from fees. The average amount to each from this latter source will be about 150*l.* a year. If therefore it is thought expedient that the gross income of any Professorship should be about 800*l.* a year, then the fixed income should be set at 650*l.* and that of the less valuable Professorships reduced by the same amount of 150*l.* The Professors should be required to print a syllabus of their Lectures, and to attach to each Lecture a certain number of questions, some of which should be answered in writing by all the undergraduates in attendance. The answers to the questions on each Lecture should be delivered in at the Lecture following. The Bachelors should be required either to answer the questions, or to write one or two essays on subjects proposed by the Professor, who shall be called upon, after examining all the answers and essays to award prizes, as above proposed, to the writers of the best, and to give a certificate of satisfaction or otherwise to each Bachelor and undergraduate. One course of Lectures every year should be required of each Professor, and not more than two courses in the year should in any case be permitted, in order that sufficient time may be secured to every Professor for carrying on his private studies, and for advancing the progress of the science which he pro-

fesses. Provision having thus been made for securing the services of men who have attained the greatest eminence in their several departments of Literature, Science and Art, and likewise for cultivating a taste for these different pursuits, some intermediate encouragement of a substantial kind will be requisite, by which the young students may be induced, as well as enabled to carry on such employments. These seem to be furnished by the fellowships of the several Colleges, which are permitted or required to be held by laymen, for whom a certain number of the Professorships are obviously more suitable. The intentions of the Founder of Magdalen will be carried into effect, if the President and Fellows, under directions from the Visitor, take care that three of their fellowships are assigned to men, eminent in Theology, Logic, and Natural Philosophy respectively. One of the Fellows of Corpus is to devote himself to the study of medicine. This Fellowship was for many years held by the late Dr. Williams, Professor of Botany. Three other Fellowships of the same College seem intended to encourage and employ persons who devote themselves to the study of *Theology*, *Latin* and *Greek* respectively. That portion of the Fellowships of All Souls, which is held by Doctors of Civil Law, might be employed by the Warden and Fellows, in encouraging and rewarding the students of Law and Modern History. The Lay-fellowships at Merton, St. John's and New College, and the Lay-studentships at Christ Church might all be made serviceable by these different societies in encouraging attention to the various branches of Literature, Science, and Art. Something also might be done at Wadham, Oriel, and Exeter. The two fellowships recently founded by the venerable Mrs. Sheppard at Pembroke, are expressly intended to encourage and reward Legal and Medical Students. The Vinerian Scholarships, and Fellowships, as well as the Eldon Scholarship, are easily available for encouraging the study of Law and Modern History, agreeably with the suggestion of Professor Vaughan. The Travelling Fellowships at University College afford an opportunity of stimulating Geographical and Antiquarian discoveries, if not Geological and Botanical researches. Other Fellowships of the same kind might be advantageously founded at other Colleges for the purpose of encouraging researches on the spot, relating to the History of the Fine Arts in different

*Rev. J. T.
Round.*

Rev. J. T. Round. countries, as well as the concentration of the information which is now dispersed in the writings of Travellers. New Foundations of this kind, and also in relation to other branches may fairly be expected, and there is little reason to doubt that many of the old Fellowships will soon be applied to the same purpose.

With regard to the appointment of Professors, it seems desirable that a variety of methods should be kept up, as they act as wholesome checks upon one another. Even if Convocation is allowed, for the sake of argument, to be the worst, it is still a good electing power, while it admits of improvement, by a limitation of the right of voting on such questions to resident members.

3. Having, in this manner, made due provision, by means of well-endowed Professorships, for advancing the progress of religion, learning, and science, the University has to consider the best method of educating those who may be drawn together by her celebrity. To aid her in this task, she finds ready to her hand, nineteen Colleges and five Halls. By their assistance she is enabled at once to make an admirable provision for the discipline of her youthful forces, by dividing them into regiments and companies. For the command of each regiment there is already provided, a Head of a House, who appoints the most experienced of his Fellows, to take upon them, under his superintendence, the education of the Students who are accommodated with lodging within the walls of the different Colleges and Halls. It is difficult, I could almost say, it is impossible to imagine a provision more admirably calculated to assist the University in maintaining discipline among its Students, and in conducting their education. If our English Universities were destitute of Colleges, language cannot express the reverence with which we should hail the Benefactors who proposed to found them. They provide at once an arrangement, which every General of an army knows to be indispensable for the safety of his troops—and, (what is infinitely more to the purpose), they provide an arrangement which the Author of Nature has ordained for the well-being of society, seeing that he has divided it into families, where each individual member finds a Father and a Home.

Quem Deus vult perdere prius dementat.

England indeed must be pronounced to be running mad under a Divine decree, if any considerable number of Englishmen can slightly value, or carelessly fling aside the privileges which their country enjoys, in having two of its principal Universities filled with well-endowed Colleges. If there are any defects either in the constitution or in the management of these institutions, let the best admissible remedies be sought for and applied; but let not the institutions themselves be undermined or undervalued. On a closer inspection the Colleges are found to contain elements for the safe training of students, which the University cannot prize too highly. Her first duty is to provide sound religious instruction and training for the students. Now on referring to the Statutes of the several Colleges, it appears that a large proportion of the Fellows, who compose them, are under an obligation, within a certain period of time, to enter into Holy Orders. By this provision the University has a reasonable security, that the greater part of those, who shall be engaged in training and teaching the students, will be well qualified to impart to them the most important knowledge which they have to acquire; and, what is of still higher moment, will feel themselves bound, by reason of their ordination vows, to watch over the spiritual interests of their pupils, and to give them those practical lessons in religion, which are doubly necessary in the season of youth. I believe that this country can boast of many laymen, who take a deep religious interest in those who are placed under their care: but by far the majority of well-educated parents in England place the education of their children in the hands of Clergymen. All our public schools—and nearly all our private places of education are presided over by Clergymen. Will English parents be satisfied, if, at the most critical period of life, the instructors of their children are not bound by professional obligation to watch over the religious training of their pupils, and are not qualified to impart to them the best Christian instruction? It must not then admit of a doubt that the obligation which now lies by Statute upon a large majority of Fellows of Colleges to enter into Holy Orders, will be defended by the Christian University of Oxford, (intrusted moreover specially with the education of the Clergy,) as one of the most valuable elements in the constitution of the

*Rev. J. T.
Round.*

Rev. J. T. Colleges. A second advantage of the utmost value which these institutions supply to the University, is, that those Instructors, who are specially charged with the religious teaching, and the spiritual care of the students, live within the same walls, worship daily in the same house of prayer, dine for the most part in a common hall, and have the office of imparting to them by daily Lectures, nearly all the learning which they have to acquire before the examination for the Degree of B. A. The advantages of such an arrangement cannot be easily estimated. The opportunity which is hereby afforded to the Tutor, of forming an acquaintance with nearly all the habits of his pupil, and consequently of discovering the points, in which counsel and reproof are needed, is of great value. Tendencies in the pupil to idleness, extravagance, dissipation, or indevotion, will be more or less open to the eye of the watchful spiritual guardian, and will receive the admonition which these faults respectively require. All this will be lost in any system, in which the Lecture room is the only scene where the instructor is brought in contact with his pupil. A clever student may there carry off praise, at a time when his general habits stand in need of serious reproof. Even the Collegiate system is blamed, because the Tutor and pupil are not brought by it into sufficiently close contact with one another, and a wholesome moral influence continually at work upon the pupil's mind. Any measure therefore which by the separation of Tutor and pupil diminishes the opportunities of exercising this influence, will be most carefully avoided. A *third* advantage, connected with the spiritual superintendence of the students by their instructors, is to be traced to the Collegiate endowments. Few of the Fellows receive from this source less than 100*l.* a year. Many receive 200*l.* annually, and others considerably more. In order to carry on properly the religious and moral superintendence of the Students, (to say nothing at present of their instruction in the various branches of learning,) it is of the utmost consequence that the number of pupils assigned to the care of each Tutor should be small. Now the income which the Tutors receive from their Fellowships affords the means of increasing the number of these officers, without diminishing their efficiency, and without raising too high the sum which is to be paid by each

student for tuition. The services of able and accomplished *Rev. J. T. Round.* men, at that period of life, when they are naturally expecting to make provision for a future settlement, as well as to add to their libraries, cannot be secured at a less sum, than an income, varying from 35*l.* for the juniors to 65*l.* for the seniors. And if, on an average, 15*l.* of these sums respectively arises from the Fellowships which the Tutors enjoy, it is plain that the Collegiate endowments are instrumental in obtaining for the students the services of well-qualified Tutors, and in sufficient number. If for a moment we suppose the income derived from the Fellowships of the Tutors to be withdrawn, it would be necessary at once either to diminish the number of the Tutors, or to raise the payments from the pupils. It is clear then the Collegiate endowments are of great use, in securing proper spiritual superintendence of the students, as well as towards maintaining discipline. Nor are the Colleges less valuable in connection with the instruction of the students in the different branches of learning.

(1.) By the assignment of pupils to Tutors under the College system, the Tutor is made more directly responsible for the advancement of all his pupils, than by any other arrangement which the University can adopt; whilst, by the limited number of his pupils he is able to act up to his responsibility. A good College Tutor can easily ascertain the amount of work, which each of his pupils is doing; and can either stimulate, reprove, or procure the dismissal of all, who stand in need of these different methods of proceeding. On the other hand, the most distinguished Professor with a class of one hundred pupils, can be considered as responsible for little more than the good quality of his own Lectures. He cannot be made answerable for the diligence and attention of all his pupils, and for their profiting by what he teaches them. He may succeed in stimulating some to work hard, but he cannot undertake to see that all shall work well; and therefore he must not be considered responsible for this. And the experience which we have of human nature warns us to keep this principle steadily in view, in all the early stages of education.

(2.) A second advantage, arising out of the Collegiate system, and the consequent assignment of a limited number of

Rev. J. T. Round. pupils to each Tutor, is, that each pupil has a friend to whom he has a right to go for a solution of difficulties which he has struggled in vain to master ; as well as for counsel and comfort in doubts and disappointments. Application may indeed occasionally be made to a Professor by a well advanced Student, in such circumstances ; but it is clear that the time of a Professor cannot be made liable to the interruptions arising from one hundred pupils.

(3.) A third advantage, springing from the limited number of pupils under the Collegiate system, is the opportunity which it affords, in the private class room, for the exercise of the powers of the student in translating from one language to another, and in answering the questions of the Tutor. It is indeed almost universally acknowledged that the proper business of education consists in the continued exercise of the powers of the learner, under the correction of the instructor. The intellectual plant does not grow by being spoken to, but whilst it exercises its faculties of conception, memory, judgment, reason, imagination, in reflecting, speaking, or writing. Hence it is the province of the instructor not merely to communicate knowledge, but to ascertain from the pupil that it has been understood. His work is not complete, until the knowledge which he has imparted, and the principles on which it is founded, have been proved, by the exercise of the faculties of the pupil to form part of his mind. The real training goes on, that is, education takes place, whilst the pupil is thinking, speaking and writing. Very little, if any, of this, can be realized in the Lecture room of the Professor. Nor may it be forgotten amongst the incidental advantages of the College-class, that the pupils help forward and encourage one another. Rules of Grammar, correctness of language, niceties of taste are imperceptibly caught up, and courage is gained from fellow-pupils, whilst fundamental principles and deep observations are imbibed from the Tutor.

As the advantages which the Colleges afford are so indisputable, every one who wishes well to the University is called upon to render them as efficient as possible, and to provide the best admissible remedies for any defects which may appear in them.

(1.) It is clearly of the first importance that the Tutors

appointed by the respective Heads of Houses should be highly distinguished for their principles, acquirements, and talents. *Rev. J. T. Round.*
 If, as may sometimes happen from a variety of causes, there should at any time be a paucity of such men among the Fellows of any particular College, it may become the duty of the Head, in such a case, to signify his intention of appointing as Tutors only those persons, who should establish their claim to such an office by obtaining high University distinction. Such an intimation would in all probability have the desired effect, and prevent the necessity of selecting Tutors either from the independent members, or from some other College.

(2.) Next to the employment of well qualified Tutors, is the appointment of a sufficient number of them in each College, that is, perhaps of one Tutor to every fifteen or eighteen students. In order that a sufficient remuneration may be secured for an effective staff of Tutors, it seems desirable, if the Statutes of the College sanction such a course, 1st, that the Room Rent of all the Tutors should be paid out of the Corporate Funds; 2ndly, that the amount allowed for the Commons of Resident Fellows should be considerably increased; and 3rdly, in any case, where it is the practice to provide for the payment of the Scholars' Tuition out of the Corporate Funds, that the same amount should be paid to the Tuition money for each Scholar, as is charged to the independent members of the College. By some arrangements of this kind, if not by a fixed payment to the tuition money out of the corporate funds, it will become easier to secure a sufficient remuneration for an increased staff, if necessary, of well qualified Tutors, without fixing too high the amount which is to be paid by each student for tuition. If fifteen pupils is considered a sufficient number to be placed under the charge of each Tutor, it would not be safe to fix the tuition money of each student at a smaller sum than 21*l.* a year. If eighteen pupils is not considered too many for each Tutor, it does not seem dangerous to reduce the payment for tuition to 16*l.* 16*s.*, provided that by the payment of the room rent of the Tutors, and by increasing the allowance for commons to the resident Fellows, an additional pecuniary advantage of 30*l.* or 40*l.* a year, from these two sources combined, be secured to each Tutor. By thus

Rev. J. T. Round. adding to the number of Tutors in each College, it will become easier to provide proper instruction in the new branches of study, and likewise to improve the quality of the instruction in the old subjects, by introducing a greater division of labour among the Tutors. It is not however desirable that the division of labour should be carried to a great extent. There are certain subjects, in which it is indispensable that all Tutors should take a part in the instruction which is given.

(1.) All should take a part in the Theological Instruction, for it is clearly desirable, that the pupils who are assigned to the religious and moral superintendence of any Tutor should receive from him their religious instruction. The frequent Lectures which are given in the four Gospels (and I trust that they are not less frequent than they used to be in my day), afford an invaluable opportunity, not only for teaching sound Christian doctrine, but also for unfolding and enforcing in the most effective manner, the great moral principles which are to control Christian conduct. One peculiar advantage of these Lectures is, that the moral lessons spring as it were incidentally from the text which is being explained. An opportunity is thus gained for opening a way to the heart of the pupil, and for securing a permanent influence, which ought to belong, of necessity, to the Tutor who is intrusted with the moral superintendence over him. Some of these lessons may seem for a time to be lost; but old Tutors receive welcome intimations in after years, that seed was sown in the College Lecture, which though it lay buried for a while, has sprung up, under Divine influence, with the happiest effect upon the after-life of the pupil. There cannot then be a doubt, as far as the pupil is concerned, that all the Tutors should take part in the Religious instruction; whilst the advantage of such an arrangement to the Tutors themselves is still more obvious. Among the numerous privileges of my University residence, not one is remembered with greater thankfulness, or with a livelier sense of benefit derived, than the opportunities, which the frequent Lectures in the Greek Testament furnished, of dwelling thoughtfully on the Sacred page.

(2.) All Tutors should have a Lecture in some Greek author, for the sake of their own reputation and influence, as

scholars, and by reason of the importance of the study of this *Rev. J. T* language as subservient to the interpretation of the New *Round.* Testament.

With these two exceptions there should be some assignment to each Tutor of one or more departments of instruction, according to the number of Tutors. It is however, by no means desirable, that in all cases, the same Tutor should be always employed in the same branch of instruction. Some of them are more fitted for Seniors—others for Juniors. Hence, as the Tutors rise in seniority they should give up the easier, and enter upon the higher subjects. There are some branches which might advantageously remain a longer time under the charge of the same Tutor, if he happened to shew eminent knowledge on the subject or great skill in imparting it: e. g. 1. Logic, Composition and Elocution—2. Mathematical and Physical Science—3. Modern History and Jurisprudence. It is however of great consequence to keep continually in mind, that the office of the University is to give a general education; and care must be taken lest individual Tutors, becoming engrossed with a favourite subject of study, should give it undue prominence, and so train up some particular faculty of their pupils, with the sacrifice of general improvement.

It is desirable to distribute the rooms of the Tutors into different parts of the College. Some good might be done, if each Tutor gave up some portion of one evening in every fortnight, towards providing for the students useful and amusing occupation in some of the winter evenings, by giving written or spoken Lectures within the Colleges, on the more recreative branches of knowledge, such as Architecture, Geographical Discoveries, Antiquities, Painting, Sculpture, Machinery, and perhaps Music. It is a frequent subject of complaint against the College Lecture, that it is apt to combine in the same class a great variety of attainments and abilities. If this is really an evil, it is confined to the early part of an undergraduate's career, and admits of no remedy but increasing the number of Tutors. It is aggravated beyond endurance in the gregarious class of a Professor. But is it a serious evil, as well as an unavoidable one, that men of various attainments and abilities, should, to a certain degree, and in a certain stage of education, be brought together for instruction?

Rev. J. T. Round. A skilful Tutor will, almost in the same breath, impart to the less advanced pupil the knowledge of a rule in Grammar, and to the greater proficient the principle on which the rule is founded. There is no great difficulty in subjoining refined observation to elementary instruction. It is no great effort of genius to connect accurate grounding with illustration, which implies research, and is calculated to elevate the taste. By this combined method of instruction sympathy may be created between these two classes of students, to the manifest advantage of the inferior pupil, and without detriment to the moral feelings of his more favoured companion. It is moreover to be remembered, that a considerable portion of a College Lecture-hour, at least when the ancient classical writers are the subject of it, is occupied by the students construing, in succession, from Greek or Latin, into English ; hence the more advanced pupil has always the opportunity of exercising under correction accuracy of scholarship, judicious selection of Anglo-Saxon words, and refinement of taste, with mutual advantage to himself and his fellow-students.

We have now to consider the effect which the Colleges have upon the general improvement, habits, and number of the students. Do they hinder, or do they assist the University in furnishing to the Clergy and upper classes a good liberal education, i. e. in Religion and Virtue, in Learning and Science, at a reasonable price? and, 2ndly, Do they hinder or do they assist the University in affording to those young men of the lower and middling classes, who shew a proper capacity, a good opportunity of raising themselves by means of a liberal education to situations of usefulness and honor. The interests of Church and State are equally concerned in the efficient discharge by the University of both these duties. If either the Clergy and upper classes are not well educated, or if education does not offer the means of elevation from the lower to the upper classes, the Church will gradually lose its hold upon the respect and affections of the people, and the social fabric will be deprived of one principal means of cementing its diversified parts together.

It is universally agreed that the great means of drawing numbers to the University, is to furnish a *good* education at a *moderate* expense. If the education be not *good*, it will not

be sought after. If it is not to be obtained at a *moderate* ex- *Rev. J. T.*
 pense, it will remain beyond the reach of many who would be *Round.*
 glad to avail themselves of it. Do the Colleges assist the Uni-
 versity in furnishing a good education at a moderate expense,
 and to a sufficient number of students, or if they do not accom-
 plish this already to the desired extent, may they by judicious
 measures be rendered capable of doing so? This last can be
 easily shewn. That the Colleges furnish the means of provid-
 ing a good education, i. e. the being trained in Religion and
 Virtue, in Learning and Science, under proper moral superin-
 tendence by competent instructors, the expense of such an
 education being lessened by the College endowments, has been
 proved already. But still the question arises, Can the expenses
 of the good education, which is provided in the Colleges be so
 reduced, as to attract to the University all who might and
 ought to receive an education there? It is clearly of the first
 consequence that these expenses should be lessened. That
 part of them which arises from the payments made to the Col-
 lege Bursar is already small in those Colleges which are well
 regulated. But this admits of some little reduction.

(1.) Some reduction may be effected, as suggested by Mr.
 Wall of Balliol, in his valuable financial statement, by a more
 direct method of dealing with the Tradesmen who supply
 food.

(2.) The payments for Room Rent admit, in a great many
 cases, of being reduced 20 or 30 per cent.

(3.) By adopting the suggestions, which have been already
 offered in these Papers, of paying the Room rent of the Tutors
 out of the Corporate Funds, and of increasing the allowance
 made to Resident Fellows for commons, a reduction of 20 per
 cent. may be made in the charge for Tuition, without dimin-
 ishing the receipts of the Tutors.

(4.) Mr. Wall has also shewn that the expense which is in-
 curred by the payments to the College servants may be less-
 ened by adding to the number of students in small Colleges;
 inasmuch as the same staff of upper Servants, which is required
 for a College consisting of 85 Undergraduates, will be sufficient
 for a College of 120.

(5.) If Twenty guineas is considered to be a sufficient sum
 to receive as Caution money from the Independent members

Rev. J. T. of a College, it is worthy of consideration whether Ten guineas is not sufficient to receive from a Scholar or Exhibitioner. Round. Such a reduction would add much to the value of all open Scholarships and Exhibitions.

(6.) The expense of providing books might be diminished to the poorer students, by establishing in each college and Hall a separate library, consisting of several copies of the more expensive Lexicons, Dictionaries, books of reference, useful but expensive editions of the Classics, large Grammars &c., with permission to take them out for use during a whole term. A sum of one shilling per quarter paid by each undergraduate in his Battells would provide a small salary for a librarian, to repair the covers of Books, and sometimes perhaps add to their number. But the stock would be easily formed by Donations of money and books, by the College, by individuals, and by the Delegates of the Press.

(7.) It is worthy of consideration whether a Fund should be raised, out of which the fees for the Degree of B. A. should be paid for all students, who have taken a first or second class. When men of fortune have obtained these distinctions they might apply the same amount of money in aid of some University or College Fund, formed for the purpose of creating open competition. This principle is capable of application to all cases of endowments, enjoyed by those who do not need them, and the letter H might be attached to their names in the Calendar, to signify that they were honorary scholars or exhibitioners. By adopting these, or other arrangements of a similar kind, some reduction may be made in the necessary expenses of a University education. And it is important that such a reduction should be made, as far as it is possible, in order that the College authorities may set an example of promoting economy to which they can appeal in communicating with the students, and their parents. As soon as it is felt that the utmost is done in Oxford to lessen the expenses, an inclination will be called forth in many persons to join with the authorities in promoting the same object.

2. A second, and more effective method of gradually reducing the average expense of a University education is to be found in providing, through the medium of endowments, greater inducements to studious habits in the undergraduates.

As a general rule men of studious habits live inexpensively. Hence if a good nucleus of studious men can be encouraged, and retained in every College and Hall, expensive habits will be gradually lessened. The temptations to spend money unnecessarily will be diminished, when it is seen that men who are respected for their talents and attainments avoid such expenses. In order that economy may have a chance of coming into fashion, it must be recommended, not by the poverty, but by the habits and accomplishments of those who practise it. It is therefore of the first consequence, both for the encouragement of diligent study, and with a view to the formation of economical habits among the students, that the example which has been set by several Colleges, agreeably to the recommendations given by the Committee of Heads of Houses, should be followed out in every College and Hall, of founding *open* Scholarships, or Exhibitions, wherever they do not exist already in sufficient numbers.

*Rev. J. T
Round.*

1. Many Colleges, I imagine, under the sanction of the Visitor, will be able to make considerable contributions for this purpose out of their corporate funds.

2. Subscriptions may be entered into by the Head of each College where such Scholarships and Exhibitions are required, by the Fellows, by the old members of the Foundation, and lastly by the independent members of the College. A good appeal may be made to these last, if the Head, and Fellows, especially the Tutors, set a noble example.

3. A general fund may be formed out of which those Colleges, which are unable to accomplish all that is necessary, and especially the Halls, may receive assistance.

It is desirable that the Scholarships should be tenable for four years; that they should be of the value of 40*l.* or if possible 50*l.* a year, though it may be necessary to begin with 30*l.*; and that they should be in sufficient number to allow of two or three vacancies every year in the smallest Colleges, and of more in the larger ones.

4. It may reasonably be expected that the new subjects of examination, which have lately been introduced, and the additional subjects of inquiry to be taught by the new Professorships, which have been suggested in these Papers, will, especially if prizes be attached to the successful pursuit of them,

Rev. J. T. Round. by increasing the number of studiously employed undergraduates, indirectly subserve the interests of economy.

If these, and perhaps other means, be employed in combination, I entertain a sanguine expectation that the average expense of a University education will be reduced to 150*l.* a year. It is further to be considered that the income derived from the old and new Scholarships and Exhibitions, in addition to the stimulus it holds out to diligent habits, and the tendency which it has to encourage economy, will at once reduce the actual expenses incurred by at least *one third of* the students, out of their own resources, to 110*l.* or even 100*l.* a year. This is one great step towards enabling the University to discharge its functions well, viz. of supplying a good education at a moderate expense, but it must be followed up by others. In some few, perhaps many of the richer Colleges, instead of handsome contributions which they often make to extraneous objects of charity, 60*l.* and in some instances 100*l.* might be set apart for the purpose of enabling the Head and Fellows at Collections, to present sums of 10*l.* or 20*l.* to such students, known to be poor, as *having already succeeded in obtaining an open Scholarship or Exhibition*, shall have also proved themselves to be economical in their habits, uniformly attentive to their studies, and exemplary in their behaviour. Again,

It has been urged that the University is reduced to a condition of too great subjection to the Colleges; and that, by their confined endowments, they sometimes prevent the University from discharging its functions properly. If it is true that in any degree they check the University in providing the best possible training in Religion and Virtue, and Learning, every means should be tried to diminish such an evil. If the endowments of some of the Colleges, by being too much confined, do not operate sufficiently in stimulating diligence, and rewarding merit, if they do not produce Tutors of sufficient attainments and ability, or if the course of study in any of the Colleges and Halls is not sufficiently extensive, it is obviously expedient, that the University (if from any source the means of doing so are within her reach) should found Scholarships, for the three-fold purpose of encouraging diligence, of raising the standard of acquirements, and of assisting students of small means in securing to themselves a university Education. The only avail-

able Fund, for this purpose, (unless a special one were raised by private subscription,) is the income derived from the University Press. But as this fund is itself an uncertain one, it cannot, with safety, be made perpetually chargeable with any payment; and therefore if recourse is to be had to it, the only kind of plan admissible is one which will ultimately provide an independent endowment, and eventually release the Press income from all charge: e. g. If we suppose the sum of 2,000*l.* a year to be set apart for this purpose, three-fourths of this amount, viz. 1500*l.* a year would provide an income of 25*l.* each for sixty Scholarships, and the remaining one-fourth, viz. 500*l.* a year must be invested annually, and be permitted to accumulate with the interest, until the accumulations in Consols amount to 50,000*l.*, that is, to an investment yielding 1500*l.* a year. It seems desirable that these University Scholarships should be open to undergraduates at the end of their first year. Twenty of them should be competed for every year, and they should be tenable for three years; as it is not expedient to multiply examinations, the Scholarships might be awarded at Responsions.

Open Scholarships having been thus established, 1st by the Colleges and Halls, in addition to those which already exist, and 2ndly by the University, the next step towards raising the standard of attainments, and for encouraging poor meritorious Scholars, is to adopt every available means for opening to competition all existing prizes at the disposal of the several Colleges, as far as such means are consistent with the known will of the respective Founders, and calculated to carry their wills into effect. In this point the Colleges have only to persevere in the course which they have long taken, viz. the insertion of advertisements in the London and country newspapers, announcing the vacancies which have to be filled up in Scholarships and Exhibitions. In addition to this, (if in any case such a course has not been already adopted,) it is desirable that printed particulars of value, limitations, age of candidate, &c., should be sent to the Head-Masters of the principal Public Schools, as well as of all the Schools in the District, to which the endowments are limited. If after due pains have been thus taken both to obtain a competition and to carry out the will of the Founder, no statutablely qualified Candidate

*Rev. J. T.
Round.*

Rev. J. T. Round. should appear, the Scholarships and Exhibitions should be thrown open to general competition, and given to the most deserving Candidate, after an examination of all who present themselves. It would be treason in an old Fellow of Balliol to fall away from the conviction that open Scholarships and open Fellowships are, under God, the best theoretical means of encouraging true religion and useful learning; but he is not bound to entertain the confined notion that they are the only means that may be employed, or that they are always the best practical means; nor is he at liberty to suppose that all other means are to be despised and discarded, without regard to the great principle of natural justice, and of English law, which binds the living to keep faith with the dead. Moreover, seeing that Universities are national institutions, they are called upon with a maternal eye to consider the interests of religion and learning in every part of the kingdom, and if there are any counties, which at present are behind the rest in these great matters, the Universities are not at liberty to sanction measures which propose to deprive such counties of local endowments; but to take every pains to turn these to the best account for the improvement of the places to which they belong. When the University and the Colleges have in this manner done the utmost which lies in their power to encourage meritorious diligence, by founding new endowments open to general competition, and by taking the most effectual steps for opening the old endowments, they will be in a right position to petition the Legislature to take measures for enforcing upon public bodies, who have the disposal of Exhibitions to the University, the necessity of awarding them after Examination by proper Examiners, to the most deserving Candidates. Among the appointments which ought to be awarded in this manner, from their connexion with the Universities, are,

1. ^a Those attached to the Foundation at the Charterhouse.

^a The method of admitting Candidates on the Foundation at Westminster is highly to be commended. Some little improvement seems to be required as to the subsequent appointments to Ch. Ch. and Trinity College Cambridge. Perhaps the most encouraging method to the boys would be, to permit each boy, as he stands in the order of merit, to make his own choice between Ch. Ch. and Trinity.

2. To the Foundation at Winchester.
3. The Scotch Exhibitions at Balliol.
4. The Hulme Exhibitions at B. N. C.

*Rev. J. T.
Round.*

5. The Blundel Scholarships at Balliol, with, no doubt, many others of a similar kind, belonging to the great companies in London, &c. The Legislature might also be petitioned to enact that all appointments to the office of Grammar School Master shall be made after due advertisement for the best Candidate. Such a movement by the Legislature, as far as it has not yet been made, is already anticipated by the growing desire of the middling, and lower classes, to secure to their children a good liberal education; as evinced by their liberal contributions to improve the buildings connected with the Grammar Schools; as well by the pains which are conscientiously and successfully taken by the Municipal Authorities to secure good Masters. Three instances of the spirited revival of Grammar Schools, on which considerable sums of money have been expended, have taken place recently in my immediate neighbourhood. The improvement of Grammar Schools is obviously the first step towards qualifying the children of the middling and lower classes to take advantage of a University education. The second is to stimulate the diligence of the boys by Exhibitions to the University, to be given to the greatest proficient after Examinations conducted by independent Examiners. If the poor Scholar, who has obtained such an Exhibition, is next admitted to compete for an open Scholarship or Exhibition at one of the Colleges, and subsequently for a University Scholarship, with the opportunity of gaining a prize of money or books from one or more of the Professors, he will be in a much more favourable position for acquiring a good liberal education, under the superintendence and instruction of a College Tutor; and at a less cost in money from his friends, than if he were permitted to reside in a private lodging, at a minimum of expense. The associations secured to him by the Lecture Room, by the Hall, by the Chapel, combined with the opportunities of social intercourse with a few personal friends in his own rooms, and of access to a Tutor for counsel and aid, present advantages to a poor scholar who is struggling to make good his claims to an advance in society, which it is scarcely possible to estimate duly. His habits, his manners,

Rev. J. T. Round. his taste, are imperceptibly raised, whilst he is laying in new stores of learning, as well as exercising and strengthening his powers. This combination of advantages cannot be obtained by a poor scholar, if he is either associated exclusively with students who are under the same original disadvantages with himself in an economical Hall, or if he is abandoned to seek an isolated lodging for himself. In order that he may become properly qualified in mind and manners, as well as by acquirements and well trained talents, to fill a post of usefulness and honour, he must be brought in contact more and more with companions of polished minds as well as of studious habits. Without this opportunity he cannot raise himself. Hence it appears that the associations which the Collegiate system offers are indispensable to him. Nor is that system less useful to the sons of our nobility; although it may act in an opposite manner. Both come to the University for the common purpose of being well trained in Religion and Virtue, in Learning and Science. But whilst the one has to make good his claim to a higher place in society, and to mount upwards; the other, whilst he is acquiring accomplishments, without which he cannot properly fill the position to which he is born, has to learn to descend easily, safely, and usefully. These two classes of Students, in fulfilling their duties at the University, illustrate the beautiful language of St. James, "Let the brother of low degree rejoice in that he is exalted—but the rich in that he is made low." It is clear that these fundamental objects cannot be attained by secluding our young nobility with the families of Professors, and by banishing the poor Scholar to a solitary attic^b. Nor can it, I think, be seriously imagined, that the sons and brothers of our high-born English Ladies will be sent to the University in search of refinement, under "amiable" influences, but rather that they will come there to impart it to their fellow students, receiving in return some experience of the sterner and rougher parts of life. If by the adoption of these different means, with others that may be recommended, for lessening the expenses of a University education, and for making the existing and additional College endowments more available, for imparting a sound liberal education to poor Scholars, the numbers, pressing

^b See Commissioners' Report, pages 45 and 46.

for admission, should be greater than could be received into the existing Colleges and Halls, the only wise course for extending the advantages of the University to an increased number of Students, will be to add to the buildings of the smaller Colleges, in pursuance of the course which many of them have taken during the last forty years, by which 173 additional sets of rooms have been obtained. There is little reason to doubt that many of the Colleges would be found willing and able to pursue this course further, as the necessity for increased accommodation for Students shewed itself. The munificence of private friends would not be wanting in aid of the sums expended out of the Corporate revenues.

*Rev. J. T.
Round.*

Lastly, a few words must be said in relation to the subjects of study. There are certain fundamental principles relating to this point, which will, I trust, never be lost sight of by the University.

Subjects of
study.

1. Due care will continue to be taken that the *most important* subjects shall occupy the *first* place. It has long been the glory of Oxford, that when her ablest and most accomplished Students stand up to be examined for the degree of B.A., which is the turning point of life, the *first* book which is placed in their hands is the *Greek Testament*. This homage to the Word of God, will, I trust, never cease to be paid. The most important subject must ever occupy the first place in the most important degree, which our youthful Students have to arrive at in acquiring a liberal education. If it were withdrawn, a risk will be run of diminishing in the mind of the Student the sense of its importance. Religion will be in serious danger of being undervalued—a risk, which a Christian University dare not run. Moreover, I believe that there is no season, when the refreshing and restoring influence of religious occupation is so valuable and so necessary, as when the mind is engaged with intense study. Let it then continue to occupy the first place in the Examination for the degree of B. A.

2. The second place must continue to be given to those studies which are useful for the due interpretation of the original languages of Holy Scripture, including all such Ancient History, Philosophy, and Literature, as conduces to the better understanding as well as the confirmation of the Sacred Records. Hence, the classical writers of Greece especially, and of Rome likewise, must continue to form a *necessary*, and a *chief* part

Rev. J. T. Round. of the Examination for the degree of B. A. It must be felt by every Classical Scholar, that the defects equally with the excellencies of the Ancient Philosophy, that the degraded Mythologies equally with the poetic inspiration of Greeks and Romans render a perpetual homage to the majesty and purity of Divine Truth. In addition to this primary reason for assigning so prominent a place to Classical Studies, there are others of fundamental importance.

(1.) Because they are ancient, and therefore form a proper foundation for knowledge. The History of Europe is a mystery till it is solved by the Histories of Greece and Rome. The same remark applies to the languages and the literature of many of the European nations.

(2.) Secondly, because they combine excellencies of the highest order in the principal branches of literature, such as History, Oratory, Poetry, Philosophy. The books are written in polished and dead languages, and therefore fixed in meaning, and are calculated to furnish the best groundwork of grammatical knowledge, eloquent composition, and chastened imagination.

(3.) Because, by making the mind acquainted with the excellencies of remote ages, distant countries, and different races, these studies lay a foundation for expanded and liberal views. That mind is most contracted, that vanity is most incurable, which is familiar with no marks of distinction but those of its own time, and place, and nation.

(4.) Because dead languages furnish materials for thought rather than conversation. The study of these (and the same remark applies to mathematical pursuits) makes our young men listeners, and therefore learners, instead of talkers, and therefore teachers. The materials of their studies being less available for general conversation, they have less temptation to transgress the bounds of youthful modesty. Hence they are receiving seed, instead of displaying blossoms prematurely.

(5.) Because the grammatical drudgery which is necessary to master them, as well as indispensable to form a foundation for a good education, will only be endured whilst the scholar is under authority. Other branches of study will be taken up afterwards from their attractiveness.

Natural History will now also I trust take a higher place among the studies of the University.

of study, is to take care that they are sufficiently varied to furnish training for all the faculties. Materials must be supplied for exercising the imagination and power of expression, as well as apprehension, memory, judgment and reason. Mathematical studies must also be combined with Classical, in order that the faculties which take cognizance of scientific or necessary truth may not lie dormant, to the manifest injury of the whole intellect. It is with no little satisfaction that I have learnt that arithmetic is becoming an object of increased attention at the University. If this course is steadily pursued, I trust that the University will soon find itself in a position to require an increased amount of Mathematical work from every student. For the same reason care must be taken to combine the study of Poetry and History, of Oratory and Philosophy. I am disposed to think that greater pains must be taken to cultivate the power of expression, in writing if not in speaking. A greater number of students would be encouraged to exercise the power of writing or composition, if the prizes were more numerous every year, and embraced a greater variety of subjects. To the Latin and English Essays there might be added with advantage every year, Historical and Biographical compositions. Good narrative is a very useful, and by no means an easy style. These might relate to Cities, Nations, Laws, Buildings, Manuscripts, Pictures, Statues. There might also be proposed every year, Descriptive Essays on subjects relating to Natural History and Science. It appears evident also, on a careful consideration, that the University must endeavour to train some of the bodily faculties, e.g. speech, hearing and sight, agreeably to the useful suggestions of Mr. Duncan. Opportunities for the audible exercise of the voice are offered by the College Chapels and Halls, of which more frequent advantage might be profitably taken. Few men are sufficiently accustomed to the sound of their own voices in a Public Room. They might be trained to this by being required to recite their own compositions *memoriter*, in the presence of the members of the College assembled in Hall. Bachelors and sometimes senior Undergraduates might be required to study a subject carefully, with a view to the expression of their sentiments on these occasions, without committing them entirely to writing. In some cases it might be admissible to raise a discussion. If all this

Rev. J. T.
Round.

Rev. J. T. Round. were carried on under the immediate superintendence of the Head of the College, or the Dean, a remedy might be provided for defects, which many of us, I doubt not, have lamented in our own cases. Such practices moreover would be a revival, in spirit at least, of the old disputations. They might take place in the winter evenings once or twice a week, as well as in the morning occasionally. The office of reading the lessons in the Chapel should be shared equally by *all* the Undergraduate members of the College; and under quiet hints from the Dean great improvements would be made in the useful art of reading aloud. Habits of careful observation, and nice distinction with the eye are extremely useful, and should be cultivated, in the examination of Buildings, Paintings, Statues, and natural objects. Accuracy of thought is closely connected with it; Mr. Duncan also touches, not without reason, on the skilful use of the hand in writing. At Cambridge, I understand that papers illegibly written are not attended to in the examinations.

4. A fourth important principle is, that the proper office of Education is to train the Faculties, while the incidental office is to communicate knowledge; the memory therefore must not be loaded, but such habits of research and discrimination communicated in the acquisition of certain subjects, as will enable the student to acquire others for himself.

5. Another sound principle of education is that *Books* are the proper study of young Students, and *Subjects* the proper study of Professors. Care must be taken that the Books selected shall contain the *best* information on the subject which is to be studied: and it is the business of an examination to ascertain that these well-chosen books have been thoroughly and judiciously studied. It is the duty of a Professor not only to be well acquainted with the *best* books, but to be more or less conversant with all that has been written on the subject which he professes. I trust that our young Candidates for the Degree of B. A. will never be treated as Professors.

6. A sixth great principle in education, is to take care that certain subjects of instruction are not pressed further than is suitable to the period of youth in which they are imparted. The simple principle laid down by Aristotle in his *Ethical Treatise*, that his pupils must have some experience from good conduct, if they are to prove useful learners, clearly shews that

Moral and Mental Philosophy belong to this class of subjects. *Rev. J. Our Divine Redeemer confirms the principle of the Stagyrte, Round* when he says, "If any man *will* do his will, he shall know of the doctrine whether it be of God, or whether I speak of myself," in other words, "Intellectual discernment in moral and religious subjects is communicated by the experience which religious obedience supplies." Let then the elements only of Moral and Mental Philosophy be required from the *youth* of 22, and the deeper parts be reserved till a later period of life, when by a steady course of obedience, the faith of the *man* has been fixed immoveably on the Rock of Ages, and his understanding quickened to the highest intellectual and moral conceptions. This principle embraces the subject of Professional Education, that is, the carrying on the pursuit of one particular branch of study more or less to perfection, to the neglect or exclusion of others. This bare mention of the word seems to exclude it from the province of the University. Her office is to impart a liberal, not a confined, or limited, or exclusive education. It is her duty to accomplish a great deal by general training, which shall be preparatory not to one profession only, but to all learned professions, previous to the Degree of B. A. The Ministers of Religion, the members of the Legal and Medical Professions, as well as the great officers of state, with many others, ought to be able to obtain at the Universities such an Intellectual and Moral Training, as will qualify them to enter upon the studies and employments required for their respective professions, with every prospect of succeeding in them. But her object in imparting these advantages is general not limited, not to qualify each for his own profession, but all for some, in order that the special professional education may stand upon a broad foundation, and that members of all professions may have common bonds of union for the better cementing of the social system.

If after the Degree of B. A. the University should decide upon encouraging attention, more or less exclusive, to particular branches of knowledge, agreeably to the valuable suggestions of Mr. Denison and Dr. Acland, with reference to the commencement of Legal and Medical studies, even then the real object will be, not so much to forward strictly professional education, as to combine professional improvement with pro-

Rev. J. T. Round. gress in some other branches of knowledge, to conduct it under the influences of a Christian University, and in the society of valued friends who are preparing for other pursuits : all which is a clear indication that the object which the University has in view, in detaining the students for a while before they set forth into the world, is to impart more or less of a *non-professional* character to the first entrance upon strictly professional studies. Of the advantages of such additional residence, first to the Clerical, and then to the Legal and Medical student, little doubt can be entertained, and the University will be in a favourable position for encouraging at first and ultimately enforcing it, for a period of three terms or more, if the annual average expence of an education at the University can be reduced to 150*l.*, and if 400 or 500 of the students are able to reduce this sum to 100*l.* a year, or even to a smaller sum, by obtaining exhibitions either from a school or from a College, or from the University, or from two or even all three of these sources at once. For, in this case, the same sum of money from private means, or even a smaller sum, that now carries the Undergraduate through three years, *will be sufficient to enable the same person to reside 4 or even 5 years as Undergraduate and Bachelor. It is evident from this, that the reduction of the annual expense of a University residence, and the application of Old and New Endowments towards encouraging the diligence of the Students, and enabling them to meet the expenses of residence are equally necessary for extending the benefits of the University to an increased number of poor Scholars, and for increasing those benefits to all Students, by enabling them to prolong the period of residence.

The Facts, which appear in Evidence before the Commissioners, concur with all past experience in shewing that the period of study and residence previous to the degree of B. A. must not be reduced below three years. But there appears to be no objection to permitting every student to take his degree immediately after he has passed his examination, and completed his residence of three years, even if his sixteenth term has not commenced.

If every student, after he has taken the degree of B. A., can be encouraged, if not required, to reside one year, or more, attending the Lectures of Professors, for which his previous

course of study will by this time have qualified him, and likewise writing for the different Essays, a great advantage will be gained. It will be felt equally in the Church, at the Bar, and in the Medical profession: whilst the admission of a larger number of qualified students from the middling, and in some instances even from the lower classes, will help to fix the Church in the affections of the people, and tend to join all classes together in the bonds of a holy union, which no human power can break asunder.

*Rev. J. T.
Round.*

JAMES T. ROUND,

Formerly Fellow and Tutor of Balliol College.

*From George K. Rickards Esq., M.A., formerly Michel
Fellow of Queen's College, Professor of Political
Economy.*

GENTLEMEN,

In compliance with the invitation addressed to me to make a written communication to the Committee appointed by the Board of Heads of Houses and Proctors, respecting any of the Recommendations of Her Majesty's Commissioners, I beg to submit my opinion as follows:

*G. K.
Rickards
Esq.*

Recommendations 1—5. Upon these Recommendations, bearing upon the government of the University, I am not sufficiently well informed to be able to form a competent opinion on the plan proposed by the Commissioners.

6. I earnestly support this Recommendation, believing that such promissory obligations are for the most part practically disregarded, and are therefore morally objectionable, and calculated to reflect discredit on the University.

7. This Recommendation I strongly support, believing from my experience both at a Public School and at the University, that the abolition of these distinctions is desirable, especially for the sake of the younger Members of the Aristocracy.

8, 9. I think these Recommendations judicious and equitable.

10—13. I do not venture to express any opinion.

14, 15. I agree in these Recommendations.

16. I am inclined to think that the appointment of Professors would be best vested in some such body as the *Congregation*, as proposed to be constituted, (Recommendation 2.) I deprecate the appointment to any Chairs (except those of the *Regius Professors*) being vested in the Crown: i. e. the Minister of the day. Such a mode of appointment is too often a practical exclusion of men of an opposite political party.

17, 18. I agree with these Recommendations.

21. Also with this.

G. K. Rickards, Esq. 19, 20, 22—29. I am not competent to give an opinion on these Recommendations.

30—38. I cannot too strongly express my concurrence with the spirit of these Recommendations, believing as I do that the adoption of them would produce the most beneficial effects; first, on the Colleges themselves, and secondly, on the University. It would be needless to repeat the reasons already urged for these changes by the Commissioners: it is sufficient to state my concurrence with them, and to say, that on the grounds both of justice and of expediency, such changes appear to me highly desirable.

39. On this Recommendation I feel some doubt. It appears to me a sounder principle to take the best securities for a good selection in the first instance by vesting it in capable and trustworthy persons, than to open the door to a reversal of their decision by a tribunal possibly less competent and responsible than that appealed from.

40—43. These Recommendations appear to me judicious and salutary.

44. I observe that according to this Recommendation eligibility to become Heads of Colleges is not limited to the Members of such Colleges, but that any Master of Arts of whatever College may be elected Head of any other College. I doubt if this be not carrying the rule of Freedom of Election almost too far. If the Fellowships of all Colleges were made open, I feel confident that there would never be a lack of fit persons for the Headship, without resorting to the members of other Colleges, and if so, it may be thought both unnecessary and unfair to extend the eligibility to alien M. A.'s.

45, 46. I concur in these Recommendations.

47. The principle of this Recommendation I agree with. Under what circumstances and with what limitations the power should be exercised is a matter for grave consideration.

I have the honour to be,

Gentlemen,

Your faithful servant,

GEORGE K. RICKARDS,

Professor of Political Economy.

Queen's College,
Nov. 22, 1852.

*From Mr. Justice Coleridge, M. A., formerly Fellow of
Exeter College.*

MY DEAR MR. VICE-CHANCELLOR,

IN the course of a correspondence with a resident member of Convocation on another subject, I was reminded that I might express an opinion on some of the matters now in agitation at Oxford with respect to the Recommendations of the Commission. Perhaps I am now too late to do so, and if I am, you will be kind enough to put my letter aside without giving yourself any further trouble, but if not, there is one particular, which I think of much importance to the University, to my own Profession, and indeed generally to the students of the University, on which I have a very clear opinion, and am desirous of saying a few words: that particular is the sort and amount of Legal Instruction which Oxford should afford. On these points I do not suppose that I shall be able to offer you any thing new, or put in a more forcible way than you are already in possession of, but it seemed to me, that station and long experience might count for something, and therefore that it was in some sort my duty to state to you my opinion.

*Mr.
Justice
Coleridge*

I may begin with saying that you must not expect to make complete lawyers ready for the courts of justice by your unaided Lectures and Lessons; this is as certain in regard to the Law, as it is in regard to Medicine, and for much the same obvious reasons. But I think you may give even to students intended for professional practice such an amount of elementary legal and cognate information, as will be found extremely useful to them, when they enter on their directly professional course, and which will be absolutely invaluable to them in their after professional practice, and support and adorn them in their career however far they may advance in it. I do not propose to enter into the particulars which I should think advisable for such an elementary course as I speak of: it should comprise instruction in the Roman Law, and the principles of our own municipal Law civil and criminal; it should be imparted in the

Mr.
Justice
Coleridge.

Pupil Room, book in hand, and in Professorial Lectures, which should be catechetical as well as general and popular. Such instruction as this, clearly, need not be superficial; men might not go far, but they might make their ground good, as far as they went, and I am certain that to have done so before they went into Chambers in London, would be an advantage sensibly felt *there* and continue to be felt as an advantage always afterwards; it would give a meaning and connection to what came before them in Chambers, and clearness and foundation to their arguments at the Bar. This sort of education in my own day could be had nowhere in England, neither at the University, nor in London; probably it may be had in the latter place now, but if it could be had in the former also, which implies of course the having it from as competent teachers, I am sure this would be preferable, if it were only from its superseding any thought of shortening the Academical Course, which I look on as a great evil. I should suppose there could be no insuperable difficulties in providing the instructors. As regards the Professorial part there ought to be none, indeed under proper regulations there could be none; the Tutorial part might seem at first less easy to provide for, but in many Colleges Fellows must be found sufficiently informed; and if a College could not find within its own walls or on its roll a fit person, would there be any real objection to appointing, as is sometimes done at Cambridge, a member of another College to the office *pro hac vice*? If the system takes root, there will be no lack of Tutors in a short time. I feel very sure that a course of this sort, so far from being thought to delay the young lawyer in his progress, would have the effect of removing an objection, which many Utilitarians now have to an Academical education, and therefore be likely to attract young men, intended for Lawyers, to the University.

Before I pass on, I may make an observation, which will bear both on what I have said, and shall say presently. There are some branches of law, which are so made up of principle, and some not very numerous, historic, or antiquarian precedent; that even for the lawyer, they may be as *thoroughly* learnt, or nearly so, at the University, as elsewhere. I mean all that is commonly understood by constitutional Law, and it would be desirable that on this the Course at Oxford should aim at more

completeness than would perhaps be desirable in regard to other branches.

Mr.
Justice
Coleridge.

Now I pass on to consider the case of your general students. The principle in general is familiar to every one from Blackstone's introductory lecture, and little can be added to shew how desirable it must be for them to receive such training and information as he there describes. The points on which I insist in addition, are, that this may be soundly done, without breaking in on the *present* system (present as opposed to the former) of the University, or prolonging necessarily the term of residence. And I desire to point out an advantage of *detail*, which Blackstone does not mention,—I mean that it would no longer be *necessary* for young men, who merely desire to qualify themselves for country gentlemen, Magistrates, or Members of Parliament, to pass a year or two in London with a Barrister, or if any chose to do that, it would be done with tenfold advantage from the previous preparation at Oxford. I do not say that it is undesirable for young men, such as I am now speaking of, to interpose a residence of a year or two in London before they retire to the country,—but I think that the mere purpose of elementary training in Law might be *on the whole* much better attained at Oxford in a class and in lecture rooms than in a Barrister's chambers and lodgings in London.

I consider however that what I propose in either case will not have a fair chance, unless it be made *compulsory on all*, unless it be, you will not be sure of a permanent supply of teachers, for you will not have an adequate nor a regular supply of learners. I am sure I shall not be thought to make any reflection personally on the distinguished persons who now fill the Legal Chairs at Oxford, when I say that their position as teachers must be very unsatisfactory to them, because it is very unfruitful to the University; as things have been, it could scarcely be otherwise; let Oxford be necessarily to all a school of Elementary Roman and English Law, there would be a constant, a gratifying, even an exciting call on them, which I am sure would be satisfactorily answered. Or if they found it inconsistent with other avocations, they would surely make room for others, and the Profession would never fail to furnish a choice of fit men.

Mr. Justice Coleridge. What I contend for is the possibility and fitness, by the Union of Tutor and Professor, of giving to all a sound elementary training in Law, such as should suffice for the legal education of the Statesman, the Merchant, the Physician, the Clergyman and Gentleman, and should be a timely, convenient, and enlightening preparation for the actual Lawyer; this to be done within the present term of Undergraduateship, at no great increase of expense, to be necessary to a Degree in Arts, and to be a path to honourable distinction.

Allow me, even at the end of so long a letter, to say one word with reference to my own profession.—I confess I think it of great importance to attract to the Universities those who are to be Lawyers; it would be absurd to deny, in the face of such splendid instances, the possibility of men becoming not only accurate, but splendid Lawyers without an Academical education; and certainly men may, perhaps even earlier, without it, become astute, money-making practitioners: but I am inclined to think, and I judge from a pretty long experience, that the former are exceptional cases, cases of men who are so gifted that they overcome every disadvantage—and the latter are a class who do us no honour, and may be left to themselves; for the interests of the Profession at large (and therein, we should always remember, necessarily for the benefit of the Public), it is most desirable that men should come to the Law with all the training and mental discipline and accomplishment and associations which the Academical course alone can give. And speaking of the generality of men I am sure they succeed best, and do the Public most service, while the most eminent men always add by it a grace and perfection to their excellence. I am therefore most desirous that the University should offer to young Legal Students this additional advantage, this motive for coming to and continuing the regular time within her pale.

Will you forgive me for troubling you at this great length, and believe me, my dear Mr. Vice-Chancellor,

with much respect,

your sincere and obliged

J. T. COLERIDGE.

